

2027

BOARD OF ESTIMATES

MAY 30, 2018

**MINUTES**

**REGULAR MEETING**

Honorable Bernard C. "Jack" Young, President  
Honorable Catherine E. Pugh, Mayor  
Honorable Joan M. Pratt, Comptroller and Secretary  
Rudolph S. Chow, Director of Public Works  
Andre M. Davis, City Solicitor  
Dana P. Moore, Deputy City Solicitor  
S. Dale Thompson, Deputy Director of Public Works  
Bernice H. Taylor, Deputy Comptroller and Clerk

President: "Good morning. The May 30, 2018, meeting of the Board of Estimates is now called to order. In the interest of promoting order and the efficiencies of these hearings, persons who are disruptive to these hearings will be asked to leave the hearing room immediately. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in a charge of trespassing. I will direct the Board Members attention to the Memorandum from my office dated May 29, 2018, identifying matters to be considered as routine agenda items together with any corrections and add -- additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

MINUTES

City Solicitor: "Mr. President, I move approval."

Comptroller: "Second."

President: "All of those in favor say AYE. All opposed, NAY. The Motion carries. The routine agenda has been adopted."

\* \* \* \* \*

**MINUTES****BOARDS AND COMMISSIONS**1. Prequalification of Contractors

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on November 21, 2016, the following contractors are recommended:

Canyon Contracting, Inc.	\$8,000,000.00
Spears Mechanical Contractors, Inc.	\$1,270,000.00

2. Prequalification of Architects and Engineers

In accordance with the Resolution Relating to Architectural and Engineering Services, as amended by the Board on June 29, 1994, the Office of Boards and Commissions recommends the approval of the prequalification for the following firms:

Accumark, Inc.	Property Line Survey
EBA Engineering, Inc.	Engineer
	Land Survey
Mincin Patel Milano, Inc.	Engineer
Volkert, Inc.	Engineer

There being no objections, the Board, UPON MOTION duly made and seconded, approved the Prequalification of Contractors and Architects and Engineers for the listed firms.

MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

2031 - 2062

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

**MINUTES****PERSONNEL**Office of Civil Rights and Wage Enforcement1. Create the following Position:

Classification: Operations Officer IV  
Functional: Deputy Director  
Job Code: 00088  
Grade: 931 (\$72,420.00 - \$115,770.00)  
Position No.: To Be Determined by BBMR

Cost: \$134,528.00 - 1001-000000-1561-171500-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

2. Create the following non-civil classification:

a. Classification: HR Assistant II  
Job Code: 08005  
Grade: 085 (\$38,163.00 - \$45,985.00)

Reclassify the following vacant non-civil classification:

b. From: HR Assistant I  
Job Code: 07382  
Grade: 081 (\$33,372.00 - \$39,536.00)  
Position No.: 51968

To: HR Assistant II  
Job Code: 08005  
Grade: 085 (\$38,163.00 - \$45,985.00)

Cost: \$21,532.00 - 1001-000000-1100-109400-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

**MINUTES****PERSONNEL**Environmental Control Board

	<u>Hourly Rate</u>	<u>Amount</u>
3. <b>JEREMY ELDRIDGE</b>	\$90.00	<b>\$ 76,950.00</b>
4. <b>ERIKA M. MCCLAMMY</b>	\$90.00	<b>\$ 76,950.00</b>
5. <b>KURT NACHTMAN</b>	\$90.00	<b>\$ 76,950.00</b>

Account: 1001-000000-1170-138600-601009

These individuals will continue to work as a Contract Services Specialist II. Each Hearing Officer will not work more than 32 hours per week and will be paid only for hours actually worked. Their duties will include, but are not limited to conducting hearings to make preliminary determinations as to whether citations issued by City enforcement officers comply with the Code, the Environmental Control Board rules, and relevant court decisions. The hearings will be conducted under oath, requiring testimony and the presentation of evidence by City enforcement officers, respondents, and other witnesses. They will also enter their findings into the Environmental Control Board's database during the course of the hearing or immediately thereafter. If a finding cannot be immediately made, they will provide a written finding within 30 days of the completion of the hearing, provide a disposition sheet to the respondent and issuing agency. The period of the agreement is effective upon Board approval for one year.

Department of Finance

6. <b>THEO WOLDESEMAYAT</b>	\$62.50	<b>\$117,500.00</b>
-----------------------------	---------	---------------------

Account: 1001-000000-1411-160400-601009

Mr. Woldesemayat will continue to work as a Contract Services Specialist II. His duties will include, but are not limited to acting as the technical expert for the Bureau of Budget

**MINUTES****PERSONNEL**Department of Finance - cont'd

Management Research's homegrown budget system, which is used for managing the City's \$2.6 billion operating budget. He will manage the transition from phase to phase of the budget process from Current Level of Service to Agency Proposal to Finance Recommended Budget and finally the Board of Estimates Recommended budget. This is a 2% increase in the hourly rate from the previous contract period. The period of the agreement is effective upon Board approval for one year.

Fire Department7. Upgrade the following classifications:

- a.                   From: 911 Operator  
                       Job Code: 33351  
                       Grade: 085 (\$38,163.00 - \$45,985.00)
- To: 911 Operator  
                       Job Code: 33351  
                       Grade: 088 (\$42,996.00 - \$52,092.00)
- b.                   From: 911 Lead Operator  
                       Job Code: 33352  
                       Grade: 086 (\$39,693.00 - \$47,878.00)
- To: 911 Lead Operator  
                       Job Code: 33352  
                       Grade: 089 (\$44,764.00 - \$54,349.00)
- c.                   From: 911 Operator Supervisor  
                       Job Code: 33355  
                       Grade: 088 (\$42,996.00 - \$52,092.00)
- To: 911 Operator Supervisor  
                       Job Code: 33355  
                       Grade: 090 (\$46,670.00 - \$56,723.00)

Cost: \$777,000.00 - 1001-000000-2151-230600-601001

**MINUTES****PERSONNEL**Department of General Services

	<u>Hourly Rate</u>	<u>Amount</u>
8. <b>RONALD CHRISTMAS</b>	\$32.08	<b>\$ 38,496.00</b>

Account: 1001-000000-1981-718000-601009

Mr. Christmas, retiree, will continue to work as a Contract Services Specialist I. His duties will include, but are not limited to providing system consultation and follow through on the completion of the Fleet License Plate Recognition System, which is a video camera based system that will be programmed to recognize all vehicles registered to the Mayor and City Council of Baltimore, Baltimore City Public School System and the Housing Authority of Baltimore City by reading tag numbers of City vehicles when fueling transactions are initiated. Mr. Christmas will serve as the Department's consultant for the installation of the citywide implementation of the DGS Fleet Management Auto Vehicle Locator and Fuel/Conceiver global positioning systems to be installed in all City vehicles, act as a liaison with Baltimore City Office of Information Technology.

He will also provide sole consultation and contract administration during the operation and upgrading of the Archibus software system to support the Department's Facilities Management Division, and assists in the training and technical support for the Administration Division, Fiscal Section Executive staff and Major Projects Division; attends meetings within the Department, other City Agencies and private entities on behalf of the Director; and provide project consultation for the implementation of an upgrade to the FASTER (WIN) to the FASTER (WEB), which are and will become the respective automotive maintenance service and repair systems. This is a 2% increase in the hourly rate from the previous contract period and is in compliance with AM 212-1, Part I. The period of the agreement is effective upon Board approval for one year.



**MINUTES****PERSONNEL**Health Department9. Reclassify the following filled position:

From: Health Program Administrator II  
Job Code: 61113  
Grade: 927 (\$63,240.00 - \$101,184.00)  
Position No.: 51351

To: Operations Officer III  
Job Code: 31111  
Grade: 929 (\$67,218.00 - \$107,406.00)

Cost: \$20,582.17 - 4000-499918-3080-294200-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

10. Reclassify the following filled position:

From: Director of Adolescent and Reproductive Health  
Job Code: 61193  
Grade: 931 (\$72,420.00 - \$115,770.00)  
Position No.: 3080-47806

To: Operations Officer V  
Job Code: 31113  
Grade: 936 (\$79,152.00 - \$126,582.00)

Cost: \$8,707.84 - 1001-000000-3080-288900-601001

**MINUTES****PERSONNEL**Health Department - cont'dHourly RateAmount

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

11. <b>JOHN C. FRANK</b>	\$25.00	<b>\$ 1,750.00</b>
12. <b>PAULINE HOULIARAS</b>	\$25.00	<b>\$ 1,750.00</b>
13. <b>MARY SUE WELCOME</b>	\$25.00	<b>\$ 1,750.00</b>
14. <b>JOY I. FREEDMAN</b>	\$25.00	<b>\$ 2,000.00</b>

Account: 1001-000000-2401-258300-601009

These individuals will continue to work as a Contract Services Specialist II. Their duties will include, but are not limited to providing notices of hearings in writing to the aggrieved party, any interested party, and the Office at least five days before the hearing. They will attend meetings as scheduled by the Chairperson of the Panel and conduct hearings to assure procedural due process in accordance with Panel Hearing Procedure Regulations and obtain all relevant evidence pertaining to the issues in question and limit the evidence to that, which has bearing on the issue involved at the hearings. The period of the agreements are July 1, 2018 through June 30, 2019.

15. <b>JAMIKA L. YOCHIM</b>	\$45.00	<b>\$ 81,900.00</b>
-----------------------------	---------	---------------------

Account: 6000-624019-3030-271900-601009

Ms. Yochim will continue to work as a Contract Services Specialist II. Her duties will include, but are not limited to

MINUTES

PERSONNEL

Health Department - cont'd

Hourly Rate

Amount

providing services within the two dental clinics (Eastern and Druid) and at designated outreach facilities and events, providing diagnostic, preventive and periodontal care to clinic patients, providing oral health education to clinic patients, outreach participants, participant family members and facilities staff. Ms. Yochim will also serve as a patient referral source for clinic services, monitor outreach activities and off-site activities and outcomes. The period of the agreement is July 1, 2018 through June 30, 2019.

16. <b>MAURICE W. BLAKELY,</b>	\$82.00	\$106,000.00
<b>DDS</b>		

Account: 1001-000000-3030-271900-601009

Mr. Blakely will continue to work as a Contract Services Specialist II. His duties will include, but are not limited to performing general dentistry procedures, which include diagnostic, preventive, periodontal, restorative, removable and fixed prosthodontics and minor oral surgery treatments. He will also provide on-site supervision over the public health hygienist and clinic staff, give counsel to the Program Director in the administration of off-site and outreach care services, assist in the development and implementation of collaborative care programs with the BCHD clinics and community partners. Mr. Blakely will assist the Program Director with clinic and program evaluations to comply with grant-funded requirements and federal, state and local mandates. The period of the agreement is July 1, 2018 through June 30, 2019.

**MINUTES****PERSONNEL**Health Department17. Reclassify the following vacant position:

From: Office Support Specialist II  
Job Code: 33212  
Grade: 075 (\$29,057.00 - \$33,029.00)  
Position No.: 14583

To: Office Support Specialist I  
Job Code: 33211  
Grade: 071 (\$27,280.00 - \$30,495.00)

Savings: (\$2,242.22) - 4000-427118-3080-294300-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

18. Create the following position:

Classification: Program Coordinator  
Job Code: 31192  
Grade: 923 (\$59,466.00 - \$95,370.00)  
Position No.: To be assigned by BBMR

Cost: \$86,510.20 - 4000-484915-3160-308600-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

**MINUTES****PERSONNEL**Health Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
19. <b>ORBIE R. SHIVELY</b>	\$25.00	<b>\$ 1,750.00</b>
20. <b>RUTH CANAN</b>	\$25.00	<b>\$ 7,500.00</b>

Account: 1001-000000-2401-258300-601009

These individuals will continue work as a Contract Services Specialist II. Their duties will include but are not limited to providing notices of hearings in writing to the aggrieved party, any interested party, and the Office at least five days before the hearing, attend meetings as scheduled by the Chairperson of the Animal Hearing Panel and conducts hearings to assure procedural due process in accordance with Panel Hearing Procedure Regulations. The period of the agreement is July 1, 2018 through June 30, 2019.

21. <b>RUTH CANAN</b>	\$75.00	<b>\$ 10,000.00</b>
-----------------------	---------	---------------------

Account: 1001-000000-3021-267400-603018

Ms. Canan will continue to work as a Contract Services Specialist II. She will administer the activities of the Animal Hearing Panel and serve as Chairperson. Her duties will include, but are not limited to providing resolution of disputes arising as a result of enforcement of certain activities administered by the Department's Environmental Section in accordance with the Baltimore City Code and/or Rules and Regulations promulgated there under by the City. The period of the agreement is July 1, 2018 through June 30, 2019.

22. <b>DARYL MACK</b>	\$19.54	<b>\$ 37,262.78</b>
23. <b>TARA HOLLAND</b>	\$19.00	<b>\$ 24,700.00</b>
24. <b>KENDALL TAYLOR</b>	\$19.00	<b>\$ 24,700.00</b>

Account: 1001-000000-3023-274000-601009

These individuals will continue to work as Contract Services Specialist II's in the Needle Exchange Program. They will

MINUTES

PERSONNEL

Health Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
<p>conduct strategic outreach in high-risk communities, establish relationships with community stakeholders, and promote opportunities for collaboration. They will facilitate overdose prevention and response training, make referrals to drug treatment for people suffering from substance use disorders, and conduct peer counseling to program participants. They will also conduct health and harm reduction education awareness and counseling. In addition, they will provide HIV, Hepatitis C, and STD Prevention Education with program participants and other community members, conduct pre/post HIV and Hepatitis C testing and counseling, and conduct syringe exchanges and Phlebotomy duties. The period of the agreement is July 1, 2018 through June 30, 2019.</p>		

25. <b>NATALIA SKOLNIK</b>	\$42.86	<b>\$ 30,002.00</b>
----------------------------	---------	---------------------

Account: 4000-483317-3160-308000-601009

Ms. Skolnik will work as a Contract Services Specialist II. Her responsibilities will include but are not limited to implementing the after-school and summer Student's Against Violence club, organizing and executing an internship and mentorship program, coordinating outreach activities for summer youth interns, working with Baltimore City Public Schools and the Health Department to coordinate Youth Development activities with other programs, participating in weekly staff meetings and ensuring that youth participants observe practices and comply with organizational safety polices. The period of the agreement is effective upon Board approval through August 31, 2018.

Department of Housing and Community Development (DHCD)

26. Reclassify the following vacant position:

From: Health Program Administrator I  
 Job Code: 61111  
 Grade: 923 (\$59,466.00 - \$95,370.00)  
 Position No.: 48045

**MINUTES****PERSONNEL**DHCD - cont'd

To: Construction Project Supervisor I  
 Job Code: 42221  
 Grade: 923 (\$59,466.00 - \$95,370.00)

Costs: There are no costs associated with this action.

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

Department of Human Resources27. Adjust the salary of the following salary ranges

Grade 801	FROM: \$9.25	TO: \$10.10
Grade 851	FROM: \$9.25	TO: \$10.10
Grade 901	FROM: \$9.25 - \$12.03	TO: \$10.10 - \$12.88
Grade 905	FROM: \$9.25 - \$36.88	TO: \$10.10 - \$37.73
Grade 910	FROM: \$9.25 - \$10.48	TO: \$10.10 - \$11.33
Grade 972	FROM: \$9.25 - \$18.50	TO: \$10.10 - \$19.35
Grade 974	FROM: \$9.25 - \$ 9.75	TO: \$10.10 - \$10.60
Grade 975	FROM: \$9.25 - \$ 9.85	TO: \$10.10 - \$10.70
Grade 976	FROM: \$9.25 - \$10.75	TO: \$10.10 - \$11.60
Grade 977	FROM: \$9.25 - \$18.50	TO: \$10.10 - \$19.35
Grade 979	FROM: \$9.25 - \$14.68	TO: \$10.10 - \$15.53
Grade 980	FROM: \$9.25 - \$14.60	TO: \$10.10 - \$15.45
Grade 981	FROM: \$9.25 - \$18.00	TO: \$10.10 - \$18.85
Grade 982	FROM: \$9.25 - \$50.50	TO: \$10.10 - \$51.35
Grade 983	FROM: \$9.25 - \$90.50	TO: \$10.10 - \$91.35
Grade 984	FROM: \$9.25 - \$10.50	TO: \$10.10 - \$11.35
Grade 985	FROM: \$9.25 - \$20.50	TO: \$10.10 - \$21.35
Grade 986	FROM: \$9.25 - \$30.50	TO: \$10.10 - \$31.35
Grade 405	FROM: \$9.25 - \$9.41	TO: \$10.10 - \$10.26
Grade 407	FROM: \$9.25 - \$9.75	TO: \$10.10 - \$10.60
Grade 802	FROM: \$9.25 FLAT	TO: \$10.10 FLAT
Grade 812	FROM: \$9.25 FLAT	TO: \$10.10 FLAT
Grade 852	FROM: \$9.25 FLAT	TO: \$10.10 FLAT
Grade 853	FROM: \$9.25 FLAT	TO: \$10.10 FLAT
Grade 854	FROM: \$9.25 FLAT	TO: \$10.10 FLAT
Grade 92D	FROM: \$9.25 - \$100.00	TO: \$10.10 - \$100.00
Grade 987	FROM: \$9.25 - \$15.25	TO: \$10.10 - \$16.10

MINUTES

PERSONNEL

Department of Human Resources - cont'd

Costs: To be established by BBMR, after Board of Estimates approval.

The Maryland State Legislature mandated an increase to the minimum wage, which increases the minimum wage from \$9.25 per hour to \$10.10 per hour effective July 1, 2018.

At this time, the Department of Human Resources (DHR) has reviewed the Class File and has identified the above salary ranges that were approved by the Board on June 28, 2017, which require adjustments in order to be in full compliance with the Minimum Wage Legislation. Some of the ranges listed above have had salary range maximums increased as well as minimums in order to preserve the existing span of the range.

Baltimore City Office of Information Technology (BCIT)

	<u>Hourly Rate</u>	<u>Amount</u>
28. <b>DAWIT GURMESSA</b>	\$55.00	<b>\$114,400.00</b>

Account: 1001-000000-1472-777900-601009

Mr. Gurmessa will work as a Contract Services Specialist II. He will maintain spatial data systems throughout the City, maintain weekly update scripts for the essential enterprise datasets, fulfill all high-level mapping requests, review the status of the City's Metadata for all GIS data layers, and create project plans for ongoing maintenance of those Metadata layers. Mr. Gurmessa will clean all layers located in CityView, develop project plans for CityView replacement application(s), maintain the GIS database including design and implementation, establish policies and procedures that govern security, maintenance and use, assist in maintaining and developing various spatial databases used for application development, and create, enhance, and tune existing and/or new geospatial databases. He will also maintain weekly update scripts for the essential enterprise datasets, assist in developing and maintaining the Enterprise ArcGIS services, fulfill high-level



**MINUTES****PERSONNEL**(BCIT) - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
mapping requests, operate as lead in the City's Cadastral tracking project and Homeless Service support, fulfill ad-hoc requests and provide general mapping support, update the Building layer, and act as lead support for the CAD 911 GIS layers edits. The period of the agreement is effective upon Board approval for one year.		
29. <b>JAMAHL SMITH</b>	\$22.00	<b>\$ 45,760.00</b>

Account: 2037-000000-1474-165700-601009

Mr. Smith will work as a Contract Services Specialist II. His duties will include but are not limited to; installing, configuring and maintaining all PC related hardware and systems including troubleshooting and diagnosing network problems, PC updates and standard software, configuring laptops and desktops for various agencies depending on their needs, increasing memory when user is experiencing slowness, troubleshoots and replace video and network cards, installs and test hardware and peripheral components, loads software packages such as operating systems, networking components and office applications, provides customization and adaptation to existing program. The period of the agreement is effective upon Board approval for one year.

Law Department30. Reclassify the following vacant position:

From: Chief Solicitor  
 Job Code: 10199  
 Grade: 936 (\$79,152.00 - \$126,582.00)  
 Position No.: 15466

To: Operations Officer V  
 Job Code: 00089  
 Grade: 936 (\$79,152.00 - \$126,582.00)

Cost: None

MINUTES

PERSONNEL

Law Department - cont'd

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

31. Reclassify the following vacant position:

From: EDP Communications Coordinator II  
Job Code: 33174  
Grade: 092 (\$50,784.00 - \$61,838.00)  
Position No.: 15466

To: Agency IT Specialist I  
Job Code: 33147  
Grade: 923 (\$59,466.00 - \$95,370.00)

Costs: \$7,928.00 - 2036-000000-1751-175200-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

	<u>Hourly Rate</u>	<u>Amount</u>
32. <b>MICHAEL COMEAU</b>	\$59.46	<b>\$110,000.00</b>

Account: 2036-000000-1752-175200-601009

Mr. Comeau will continue to work as a Contract Services Specialist II. He will assist the City Solicitor and Deputy Solicitor in advising and in representing the Mayor and City Council as counsel before the Worker's Compensation Commission and State courts in compensation claims. The period of the agreement is effective upon Board approval for one year.

## MINUTES

PERSONNELPolice Department

	<u>Hourly Rate</u>	<u>Amount</u>
33. <b>THERESA A. ANDERSON</b>	\$20.19	<b>\$ 42,000.00</b>
The period of the agreement is September 28, 2018 through September 27, 2019.		
34. <b>ANIBAL D. FERNANDEZ</b>	\$20.19	<b>\$ 42,000.00</b>
The period of the agreement is August 20, 2018 through August 19, 2019.		
35. <b>HOWARD J. GREEN</b>	\$20.19	<b>\$ 42,000.00</b>
The period of the agreement is July 24, 2018 through July 23, 2019.		
36. <b>EDIBERTO ILDELFONSO</b>	\$20.19	<b>\$ 42,000.00</b>
The period of the agreement is September 3, 2018 through September 2, 2019.		

Account: 1001-000000-2042-198100-601009

Ms. Anderson, Messrs. Fernandez, Green, and Ildelfonso, retirees, will each work as a Contract Services Specialist I in the Evidence Control Unit. They will be responsible for the entry and accurate retention of all property retained by the Police Department and several surrounding agencies, receiving property/evidence submissions from police officers and laboratory personnel, ensuring the accuracy/completeness of paperwork, and entering the submissions into the evidence tracking system. In addition, they will release property to personnel for further examination or as evidence for court, update the evidence tracking system with appropriate changes of location of the property for chain of custody and documentation of location, release property to the public and documents the same in the evidence tracking system, and lift and handle evidence submitted to the Evidence Control Unit.

MINUTES

PERSONNEL

Police Department

	<u>Hourly Rate</u>	<u>Amount</u>
37. <b>EDNA M. PRICE</b>	\$20.19	<b>\$ 42,000.00</b>

Account: 1001-000000-2042-198100-601009

Ms. Price, retiree, will continue to work as a Contract Services Specialist I in the Evidence Control Unit (ECU), Drug Vault. She will be responsible for all four of the Evidence Control Unit's drug vaults, tracking and transferring various amounts of Controlled Dangerous Substances (CDS) submitted to the unit on a daily basis from agency members, and organizing the various ECU drug vaults and organizing the various types and amounts of CDS which have been submitted to the unit to prepare them for the drug burn for disposal. The period of the agreement is July 14, 2018 through July 13, 2019.

38. <b>JOSEPH I. McMAHON, JR.</b>	\$20.19	<b>\$ 42,000.00</b>
---------------------------------------	---------	---------------------

Account: 1001-000000-2042-198100-601009

Mr. McMahon, retiree, will continue to work as a Contract Services Specialist I in the Evidence Control Unit. He will be responsible for all of the non-CDS (controlled dangerous substances), money and gun property recently submitted to the unit, inventory of new property, storing and properly recording property locations, purging numerous amounts of property no longer needed for persecution purposes, recording and properly disposing of property, and serving as a receiving counter replacement. The period of the agreement is September 28, 2018 through September 27, 2019.

MINUTES

PERSONNEL

Police Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
39. <b>CLARISSA E. FIELDS</b>	\$20.19	<b>\$ 42,000.00</b>

Account: 1001-000000-2042-198100-601009

Ms. Fields, retiree, will continue to work as a Contract Services Specialist I for the Court Liaison Unit. She will ensure that officers are notified to appear in court, ensure the accuracy and completeness of all paperwork, enter information in the Failure to Appear (FTA) system, and retrieve Police Department documents including operation and analysis reports for the State's Attorney's Office (SAO). Ms. Fields will advise the SAO of officers' vacations, details, medical, military or Family Medical Leave Act status, and acquire court documents and undeliverable summonses from the Court building. In addition, she will maintain files of undeliverable summonses to assist with possible FTA investigations, contact officers requested by the SAO, provide contact phone numbers to the SAO, and assist the SAO with any officer contact problems. The period of the agreement is September 24, 2018 through September 23, 2019.

40. <b>KATHY L. KLINE</b>	\$20.19	<b>\$ 42,000.00</b>
---------------------------	---------	---------------------

Account: 1001-000000-2042-198100-601009

Ms. Kline, retiree, will work as a Contract Services Specialist I for the Internal Affairs Division. She will be responsible for the initial intake of complaints to the Internal Affairs Department (IAD) from department members and/or citizens regarding police misconduct concerns, conducting preliminary investigations of all complaints received from City Hall and the Office of the Police Commissioner, and conducting administrative investigations for assigned cases.

MINUTES

PERSONNEL

Police Department - cont'd

Hourly Rate

Amount

Ms. Kline will also interview and obtain written statements from complainants, civilian witnesses and sworn officers, gather case evidence including crime scene photos, body worn camera footage, roll books, and Evidence Control Unit submissions and video surveillance. In addition, she will conduct investigation Internet searches including Facebook, Instagram, and Internet histories, draft correspondence to complainants, witnesses and attorneys, attend administrative suspension hearings, receive all requests from Legal Affairs, the State's Attorney's Office, and the U.S. Attorney's Office for Office of Professional Responsibility cases, documents and reports pursuant to Maryland Public Information Act requests, court orders, grand jury subpoenas, and discovery requests. The period of the agreement is August 28, 2018 through August 27, 2019.

41. **SHONDA D. WILLIAMS**                    \$20.19    **\$ 42,000.00**

Account: 1001-000000-2042-198100-601009

Ms. Williams, retiree, will continue to work as a Contract Services Specialist I for the Records Management Section. She will approve Part One offense reports in the In Pursuit database system, verify information from the Part One offense reports to ensure the data coincides with the In Pursuit database system, input and/or update data in the In Pursuit database, and approve the report after the information is verified. The period of the agreement is July 14, 2018 through July 13, 2019.

42. **DAVID M. WERNER**                    \$20.19    **\$ 42,000.00**

Account: 1001-000000-2042-198100-601009

Mr. Werner, retiree, will continue to work as a Contract Services Specialist I for the Central Records-Validation

**MINUTES****PERSONNEL**Police Department - cont'dHourly RateAmount

Unit. He will review original National Crime Information Center (NCIC) entries, police reports, and supporting documents, and contact the victims, complainants, the court and any other appropriate source or individuals for follow-up information. In addition, Mr. Werner will access local, state, and federal databases for additional information, update records on local databases and the NCIC to reflect changes, and prepare police supplemental reports. The period of the agreement is August 28, 2018 through August 27, 2019.

43. **LAWRENCE A. BANKS,**           \$20.19                               **\$ 42,000.00**  
**SR.**

Account: 1001-000000-2042-198100-601009

Mr. Banks, retiree, will continue to work as a Contract Services Specialist I for the Human Resources Section - Applicant Investigations Section. He will conduct pre-employment investigations of sworn and civilian applicants, conduct local, state, and national record and warrant checks, investigate references, perform neighborhood canvasses, interview applicants, and gather all vital information. Mr. Banks will also summarize investigations into a pre-employment file and conduct background investigation processing for promotional candidates. The period of the agreement is July 21, 2018 through July 20, 2019.

44. **LLOYD G. BERNARD**                       \$20.19                               **\$ 42,000.00**

Account: 1001-000000-2042-198100-601009

Mr. Bernard, retiree, will continue to work as a Contract Services Specialist I in the Human Resources Section. He will

**MINUTES****PERSONNEL**Police Department - cont'dHourly RateAmount

conduct pre-employment investigations for civilian applicants, conduct local, state, and national record and warrant checks, and investigate references. Mr. Bernard will also conduct neighborhood canvasses, interview applicants, gather vital documents for summarization into the pre-employment file, complete assigned cases within a defined timeframe, and conduct processing of background investigations for promotional candidates including record checks, recommendation gathering and a previous work history summary. The period of the agreement is October 27, 2018 through October 26, 2019.

45. **ALBERT M. DIGGS**                      \$20.19                      **\$ 42,000.00**

Account: 1001-000000-2042-198100-601009

Mr. Diggs, retiree, will continue to work as a Contract Services Specialist I for the Overtime/Secondary Employment Unit. He will coordinate, schedule, and oversee the billing associated with multiple vendors, including Major League Baseball (Orioles), the Marriott Inner Harbor, the Marriott Hotel Waterfront, Marshall's Department Store, Shopper's Food Market, Quarantine Landfill, and Target Department Store. Mr. Diggs will also prepare all invoices and billing necessary to secure accurate and timely agency reimbursement of costs and expenditures associated with the hours worked by the Baltimore Police Department personnel within a secondary employment capacity. The period of the agreement is August 28, 2018 through August 27, 2019.

46. **BARBARA J. McCLAIRN**                      \$20.19                      **\$ 42,000.00**

Account: 1001-000000-2042-198100-601009

Ms. McClairn, retiree, will work as a Contract Services Specialist I in the Special Operations Section. She will



MINUTES

PERSONNEL

Police Department - cont'd

Hourly Rate

Amount

schedule and ensure staffing of sworn members at various events and businesses which have contracts with Baltimore City to provide uniformed police overtime services. Ms. McClairn will also oversee the billing of the uniformed police overtime services. The period of the agreement is September 24, 2018 through September 23, 2019.

47. **DONALD F. KRAMER**                      \$20.19                                      **\$ 42,000.00**

Account: 1001-000000-2042-198100-601009

Mr. Kramer, retiree, will work as a Contract Services Specialist I for the Professional Development and Training Academy, Firearms Training Unit. He will serve as a Glock Armorer, servicing and diagnosing issues related to this weapon system and serve as a Remington Armorer, servicing departmental shotguns including street as well as those less lethal. Mr. Kramer possesses Armorer certifications for the numerous specialty weapons used by the SWAT team. He will assist with any issues which may arise, detail strips and clean weapons which would typically require a trip to the Armory, stock the Armory at Gunpowder Range with tools and equipment, and make repairs to weapon systems on-site, saving the Department on shipping and repair costs. The period of the agreement is July 14, 2018 through July 13, 2019.

48. **DOUGLAS W. KERR**                      \$20.19                                      **\$ 42,000.00**

Account: 1001-000000-2042-198100-601009

Mr. Kerr, retiree, will continue to work as a Contract Services Specialist I in the Asset Management Section, Facilities Unit.

**MINUTES**Police Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
<p>He will be responsible for the inventory and accountability of all departmental equipment. He will maintain the work order system, the inventory control, material requisitions, solid waste disposal, and facility reservations. In addition, Mr. Kerr will identify and label all non-expendable property and enter this information into the database. The period of the agreement is August 28, 2018 through August 27, 2019.</p>		
49. <b>FRED D. WRIGHT</b>	\$20.19	<b>\$ 42,000.00</b>

Account: 1001-000000-2042-198100-601009

Mr. Wright, retiree, will continue to work as a Contract Services Specialist I for the Forensic Services Division. He will process investigative notices from the Maryland State Police Lab/Convicted Offender Labs participating in the National DNA Index System and perform DNA case tracking data entry and serve as a liaison for the Criminal Investigation Division and Laboratory Section. In addition, Mr. Wright will provide lectures for the Police Officer Trainee classes on the Crime Lab and CODIS and process all Maryland Public Information Act requests for the Laboratory Section. The period of the agreement is July 14, 2018 through July 13, 2019.

These contracts increase the hourly rate by 40% from the previous contract amount of \$14.42 per hour to \$20.19 per hour. The hourly rate of \$14.42 per hour had remained static for many years and had not increased with the cost of living or with the continued dedication and performance of retired police officers. The Baltimore Police Department lags behind surrounding jurisdictions in pay for retired officers. Baltimore County hires retirees at \$24.00 per hour, as well as other Police Departments hire retirees at a rate commensurate

MINUTES

PERSONNEL

Police Department - cont'd

Hourly Rate

Amount

with the job responsibilities, skills and institutional knowledge that a retiree brings to the position. The Consent Decree will require the Department to hire individuals for many contractual positions to ensure implementation and compliance. These positions will require varying skill sets that were not required before. Therefore, needing a higher salary to attract and maintain skilled staff. The increase in pay from \$14.42 per hour to \$20.19 is essential to maintain key retired officers in essential positions, such as the above-listed retirees, as well as providing an appropriate hire rate for newly placed retired officers.

50. **ROBERT L. HARTLOVE**                      \$20.19                      **\$ 42,000.00**

Account: 1001-000000-2042-198111-601009

Mr. Hartlove, retiree, will work as a Contract Services Specialist I for the Internal Affairs Division. He will be responsible for the initial intake of complaints to Internal Affairs from both Baltimore Police Department members and citizens regarding police misconduct, conducting preliminary investigations of all complaints received from elected officials and the Police Commissioner's Office, reviewing case entries from the Policy Compliance Section, and assigning a case number for tracking and forwarding for investigation. Mr. Hartlove will also interview and obtain written statements from complainants, civilian witnesses and sworn officers, gather evidence related to cases, conduct Internet searches for information related to investigations, draft correspondence to complainants, witnesses and attorneys, and write complete and comprehensive investigative reports summarizing the investigations. The period of the agreement is effective June 10, 2018 for one year.

**MINUTES****PERSONNEL**Police Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
51. <b>DARRICK J. LEE</b>	\$20.19	<b>\$ 42,000.00</b>

Account: 1001-000000-2042-198111-601009

Mr. Lee, retiree, will work as a Contract Services Specialist I in the Information Technology Section. He will issue and maintain departmental cell phones, mobile devices and body worn cameras, assist with IT-based training and serve as a mobile communication technician to assist with the increased usage of technological devices agency wide. The period of the agreement is effective June 10, 2018 for one year.

52. <b>SEAN M. HEBBE</b>	\$20.19	<b>\$ 42,000.00</b>
--------------------------	---------	---------------------

Account: 1001-000000-2042-198111-601009

Mr. Hebbe, retiree, will work as a Contract Services Specialist I for the Office of Health and Wellness. He will assist with the creation and development of a Health and Wellness program, review departmental database alerts to identify instances of possible problematic employee behavior requiring intervention and assist with interventions and wellness checks. In addition, Mr. Hebbe will identify resources and build relationships with external sources, train supervisors on the Early Intervention System, monitor peer support members to ensure compliance with policies and procedures, and maintain the administrative and logistical needs of the peer support program. The period of the agreement is effective June 10, 2018 for one year.

On January 3, 1996, the Board approved a waiver to the Administrative Manual Policy 212-1, Part I, which allowed the Department to hire retirees.

**MINUTES****PERSONNEL**Enoch Pratt Free Library53. Reclassify the following vacant position:

From: Sailor Help Desk Manager  
Job Code: 00629  
Grade: 906 (\$50,694.00 - \$80,988.00)  
Position No.: 15925

To: Operations Specialist I  
Job Code: 00083  
Grade: 906 (\$50,694.00 - \$80,988.00)  
Position No.: 15925

Cost: \$0.00 - 5000-575418-4501-339600-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

54. Reclassify the following filled position:

From: Communications Assistant  
Job Code: 00723  
Grade: 081 (\$33,372.00 - \$39,536.00)  
Position No.: 15903

To: Management Support Technician  
Job Code: 00724  
Grade: 903 (\$44,268.00 - \$70,788.00)  
Position No.: 15903

Cost: \$12,000.00 - 1001-000000-4501-593500-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

MINUTES

PERSONNEL

Enoch Pratt Free Library - cont'd

55. Reclassify the following vacant position:

From: Library Program Assistant  
Job Code: 00660  
Grade: 084 (\$37,001.00 - \$44,161.00)  
Position No.: 35228

To: Librarian II  
Job Code: 00657  
Grade: 090 (\$46,670.00 - \$56,723.00)  
Position No.: 35228

Cost: \$10,500.00 - 1001-000000-4501-339200-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

Department of Public Works

	<u>Hourly Rate</u>	<u>Amount</u>
56. <b>BRANDEN NAGLE</b>	\$19.61	<b>\$ 40,788.80</b>

Account: 1001-000000-1901-190400-601009

Mr. Nagle will continue to work as a Contract Service Specialist II. His duties will include but are not limited to planning, designing and implementing new systems to meet the Department's goals for increased productivity or efficient operations, analyzes problems and devise new systems including cost accounting and economic models, metric analysis of statistical data and workforce analysis. This is a 2% increase in the hourly rate from the previous contract. The period of the agreement is effective upon Board approval for one year.

**MINUTES****PERSONNEL**

Department of Public Works - cont'd

57. Reclassify the following 11 filled positions:

From: Utility Meter Technician I  
 Job Code: 34310  
 Grade: 078 (\$30,871.00 - \$35,600.00)  
 Positions No.: 24004, 24003, 24006, 50001, 22688, 50002,  
 51965, 24012, 24015, 24016, 22704

To: Utility Meter Technician II DPW  
 Job Code: 34309  
 Grade: 080 (\$32,400.00 - \$38,114.00)

Cost: \$28,228.00 - 2071-000000-5471-609100-601001  
 Cost: \$ 9,412.00 - 2071-000000-5471-609200-601001

These positions are to be considered as Positions of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

58. a. Reclassify the following 12 vacant positions:

From: Motor Vehicle Driver I (hourly)  
 Job Code: 54411  
 Grade: 487 (\$32,482.00 - \$33,943.00)  
 Position Nos.: 45868, 22620, 22740, 45867, 22612, 22501,  
 22505, 22507, 22513, 22514, 22508, 32495

To: Heavy Equipment Operator II  
 Job Code: 54432  
 Grade: 433 (\$37,588.00 - \$42,243.00)

**MINUTES****PERSONNEL**

Dept. of Public Works - cont'd

b. Reclassify the following five vacant positions:

From: Heavy Equipment Operator I

Job Code: 54431

Grade: 429 (\$33,411.00 - \$36,807.00)

Position Nos.: 22214, 34213, 22466, 22206, 22467

To: Heavy Equipment Operator II

Job Code: 54432

Grade: 433 (\$37,588.00 - \$42,243.00)

Costs: \$ 10,974.00 - 2070-000000-5501-604300-601001

\$ 45,735.00 - 2071-000000-5521-393200-601001

\$ 5,487.00 - 2071-000000-5521-608900-601001

\$ 32,319.00 - 2071-000000-5521-393400-601001

\$ 6,708.00 - 2071-000000-5521-393700-601001

\$ 6,708.00 - 2072-000000-5181-390500-601001

These positions are to be considered Positions of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

59. Create the following position:

Classification: Utility Policy Analyst

Job Code: 31140

Grade: 929 (\$67,218.00 - \$107,406.00)

Position No.: To be assigned by BBMR

Cost: \$99,289.00 - 1001-000000-1901-749500-601001

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.



**MINUTES****PERSONNEL**Department of Recreation and Parks

	<u>Hourly Rate</u>	<u>Amount</u>
60. <b>LANCE A. DECKER</b>	\$48.00	<b>\$ 89,856.00</b>

Account: 5000-578716-4711-361880-601009

Mr. Decker will continue to work as a Contract Service Specialist II. He will provide general overall project management of assigned projects, oversee the preparation of architectural programs for proposed facilities, conceptual designs and designed detailed development, assist with the preparation of necessary documentation including writing RFPs and evaluating proposals and invoicing. He will also assist with the presentations to the Urban Design and Architectural Review Panel and the Commission on Historical and Architectural Preservation on architectural and preservation requirements. In addition, Mr. Decker will assist with the review of time lines, costs estimates, shop drawings, RFIs, claims and punch lists, assist construction supervisor with monitoring warranty periods, master planning and design program development for future architectural projects. This is an 11% increase from the previous contract hourly rate of \$43.25. The period of the Agreement is effective upon Board approval for one year.

61. <b>KRISTY M. ANGSTADT</b>	\$23.99	<b>\$ 44,765.34</b>
-------------------------------	---------	---------------------

Account: 1001-000000-4783-583800-601009

Ms. Angstadt will continue to work as a Contract Services Specialist II. Her duties will include, but are not limited to examining the work assigned to tree maintenance crews, recording necessary site data, maintaining database for assigned tree maintenance work, create resultant technical reports for both, analyzes incoming service requests and

MINUTES

PERSONNEL

Department of Recreation and Parks - cont'd

Hourly Rate

Amount

contract performance by specific task and geographic area and report recommendations to the City Arborist for crew reassignments, changes in contract technical specifications and other corrective actions, provide assigned work to crews, inspect completed work, and approve contracted work for subsequent billing. She will also, utilize GIS mapping tree inventory data as well as spreadsheets and databases for tracking work orders, provide assistance for the quality assurance of performed work through the City's 311 system on work targeted by specific departmental projects, and work targeted by mayoral initiatives, maintains and compiles all documents and reports concerning work assigned and completed through the Proactive Pruning Project and related tree maintenance work. The period of the agreement is June 28, 2018 through June 27, 2019.

62. **PHYLLIS M. WOODEN** \$10.00 \$ 9,880.00

Account: 1001-000000-4803-371400-601009

Ms. Wooden, retiree, will continue to work as a Contract Services Specialist I. This position drives City vehicles (cars and vans) to transport City Administrators and staff to and from scheduled meetings and events; transport center participants to and from various events, activities, field trips and other facilities; deliver vehicles to the repair shop for routine preventive maintenance and as necessary, repairs and service if needed; keep vehicles clean, sanitary and fueled to assure that safety standards are met. The period of the agreement is June 28, 2018 through June 27, 2019.

**MINUTES****PERSONNEL**Office of the State's Attorney

	<u>Hourly Rate</u>	<u>Amount</u>
63. <b>ASHLEY BONSALL</b>	\$33.88	<b>\$42,282.00</b>

Account: 5000-504718-1150-118300-601009

Ms. Bonsall will continue to work as a Contract Services Specialist II. She will perform legal work involving preparing and trying cases in the immediate Charging Unit of the State's Attorney Office Juvenile Division, interview victims and witnesses, review police reports and advises both Department of Juvenile Services (DJS) and the Police Department concerning appropriate charges, advises DJS regarding severity of charges, ensures timely and accurate charging of cases in order to reduce unnecessary detention and reduce processing time. The period of the agreement is effective upon Board approval for one year.

Department of Transportation64. a. Abolish the following vacant position:

Classification: Superintendent of Plans and Inspection  
 Job Code: 72726  
 Grade: 927 (\$63,240.00 - \$101,184.00)  
 Position No.: 20475

b. Create the following position:

Classification: Operations Manager I  
 Functional: Division Chief of Program Management  
 Job Code: 00090  
 Grade: 939 (\$83,742.00 - \$138,006.00)  
 Position No.: To be assigned by BBMR

**MINUTES****PERSONNEL**Department of Transportation - cont'dc. Reclassify the following vacant position:

Classification: Sign Painter I

Job Code: 53351

Grade: 081 (\$33,372.00 - \$39,536.00)

Position No.: 20576

To: Graphic Artist Supervisor

Job Code: 73115

Grade: 089 (\$44,764.00 - \$54,349.00)

Costs: \$27,898.00 - 1001-000000-2301-248700-601001

1001-000000-6971-383700-601001

These positions are to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

Department of Planning65. Create the following position:

Classification: Design Planner II

Job Code: 74147

Grade: 927 (\$63,240.00 - \$101,184.00)

Position No.: To be determined by BBMR

Costs: \$107,634.00 - 1001-000000-1871-187400-601001

The creation of this position is effective July 1, 2018.

This position is to be considered a Position of Trust in accordance with the policy outlined in the Administrative Manual, Section 237-1.

## MINUTES

Department of Audits - Audit Report

The Board is requested to **NOTE** receipt of the following Audit Report:

1. Baltimore City Department of Finance Non-Routine Journal Entry Procedures Audit for the Year Ended December 31, 2017.

President: "The first item on the non-routine agenda can be found on page 35, Department of Audits, Audit Reports. Will the parties please come forward."

Acting City Auditor: "Good Morning members of the Board. My name is Audrey Askew, Acting City Auditor, Baltimore City Department of Finance Non-Routine Journal Entry Procedures Audit, for the Calendar Year Ending December 31, 2017. The purpose of this audit was based on our financial audits performed during Fiscal Year 2017. The Department of Audits noted many def -- deficiencies within the agency level financials. We noted journal entries posted in FY 15, 16, and 17 that related to original postings dated as far back as FY 2018 that again, prompted this audit. Our opinion -- in our opinion the Department of Finance operations related to non-routine journal entry procedures is sev -- sev-- severely deficient, partly because most of the year, the Department did not have controls over their processes. This is not a finding this -- it's an issue of concern. The process to gain access to the population of non-routine journal entries was convoluted --

## MINUTES

convoluted for our staff. It took our Auditors two weeks to gather the information needed just to begin testing. There was difficulty in querying the information. Our staff had to download by month. Being that we audited for a month -- for a period of one month and you'll -- we will refer -- will refer to the next finding for more detail. This took too long to separate the information for testing. We recommend adding a feature to Report Manager, which will allow extraction of data by source. We further recommend that a source code be added to the general ledger in order to segregate between routine and non-routine GJ transactions. Now that the system has been upgraded to include the cor -- Core Integrator Module, it would appear that differentiation can be made between those GJ transactions initiated in Dynamics versus those initiated in Core Integrator. Uh -- the Department of Finance disagrees with that. I don't know if you want to talk about that now".

Director of Finance: "Uh -- good morning Mr. President, Mayor Pugh, Comptroller Pratt, members of the Board. I am Henry Raymond, Director of Finance. As it relates to this um -- the -- the Department does disagree. We believe that the new system that was implemented in November 17, of 17 does have the functionality to allow for reports to be prepared for the type of uh -- uh -- data

## MINUTES

reviews that Audits needs to do as it relates to the journal entries. The issue was prior to November 17, of 17, the prior journal entries had to be gathered using a different report writer. Since November 17, when we did the update to improve the journal entry process, it's much easier to extract the data as outlined in the audit report. So, our disagreement is from the prospective that -- that functionality does exist. There should not be those types of difficulties extracting data, moving forward, since the implementation of the Core Integrator."

President: "Okay. Well um -- um the Auditor um -- stated that they had to spend all this time um -- doing it by hand and downloading it by month. So, evidently something ain't right there. So, um -- I have to agree with the Auditor that these findings, are in fact, deficient."

Director of Finance: "I stand by what we've put in writing, which is we disagree."

President: "Okay. Well, you can disagree but what the Auditor have already stated that they have already -- that they had a hard time gathering this information. You -- you can say you disagree, but I don't disagree."

## MINUTES

Comptroller: "Okay".

Mayor: "Um -- I think the Auditors made a point. We should just make sure whatever needs to be put in -- in place is put in place."

Director of Finance: "Understood."

Acting City Auditor: "Um -- just to update. The Department of Audits did not look at any items uh -- or we did not perform any testing prior to November 2017. So, our basis is just on one and half months. During the course of the audit, this is our updated comment--Auditors found maneuvering through this system time-consuming. Neither volume of transaction or size of the entity should matter for transaction review. In addition, users were not able to drill down on transaction, which would make it difficult to locate errors or omissions. The next finding -- the next one is a Finding; Documentation of journal entry approval process, Finding Number 1. Prior to November 13, 2017, BAPS had no formal approval system required for journal entry postings. Because our audit was for the year January through December 2017, this limited our audit scope to one and a half months. This is a material weakness related to the day-to-day operations for BAPS. There was an ability to tach -- to attach notes or documents to



## MINUTES

journal entries, however, it was not used consistently. For the period November 2000 -- November the 14<sup>th</sup> through December 31, 2017, we noted journals can still be entered directly into Dynamics by a limited number of BAPS employees. From a sample of 26 transactions, we found one entry processed in Dynamics rather than Core Integrator and -- thereby circumventing the documented approval process. Recommendation -- we recommend that Dynamics -- that -- Dynamics add a feature to prevent journal entries from being initiated directly into Dynamics. This action would prevent Journal Entry processors from falling back into old routines and avoiding using the new enhanced system. Um -- our agency response was the Department of Finance disagrees with our recommendation."

Director of Finance: "That -- that is correct. All journal entries cannot be processed automatically. There will always be a need for certain manual adjustments. Examples of that would include uh -- the water billing system, UMAX, that is not an automatic load. Also, MUNIS um -- which is primarily for Property Tax, Personal Property Tax, not Real Property Tax, that is also manual adjustments. So, we believe that there will always be a need for manual adjustments and what we have done is we have put in place

## MINUTES

processes to improve the internal control regarding those adjustments. Only four accounting supervisors have the authority to review, determine if the adjustments are correct based on appropriate documentation to make those changes. And according to the audit, there was one transaction out of fifty reviewed that were in -- that was not performed correctly. Now, we concede that one was not done properly but that is a 98 percent compliance rate; and for the one that was not done correctly, meaning that it should have gone through the Core Integrator, instead of a manual entry into Dynamics. It was reviewed by um -- a Supervisor. It did have the appropriate documentation so, we believe that there were appropriate internal controls over that transaction."

President: "I can agree with you on that one."

Director of Finance: "Thank you."

Acting City Auditor: "Okay. The -- um -- that's okay. But, I want to clarify we actually tested fifty above the fifty. It wasn't all fifty related to the journal entry approval process, it was only twenty-six. So, it was actually one out of twenty-six and um -- um -- our audit was only for the non-routine GJs. It wasn't for all of the items that you -- you just referred to. So, they kind of

## MINUTES

doe -- does not go along with our um -- our finding. Now the Department of Audits was not able to verify that BAPS reviewed the transactions in Dynamics and there was no evidence of trial examination. Therefore, our finding still will stand because one out of 26 is a lot and it should not be one."

Director of Finance: "Uh -- huh -- and again, the Finance Department's disagreement stands."

Acting City Auditor: "Okay. The next one Allocation of Procurement Card Charges to Appropriate Expenditure Accounts, Finding No. 2 Department of Audits randomly selected and tested 24 journal entries for the Allocation of Credit Card Charges. Twenty-one of the entries were not submitted within 15 business days of receipt of the bill, as per the Administrative Manual, Section 309. Ten of the entries were submitted without an approved log and most of these instances only the original bill was attached. A number of bills included tax on items and charges to retail establishments without, at minimum, the inclusion of an approved log, there was no way of knowing whether the charges were appropriate. Additionally, there was one entry, which did not credit the 607080;

## MINUTES

the correct account, and it was approved by all levels, including BAPS. The initiator later -- init -- incorrectly prepared the entry debiting and crediting the same account in an attempt to correct the original entry and that was approved, as well. One additional entry was for an incorrect amount. That was a credit -- there was a credit on the bill for an item, which was returned. Rather than reducing the charge, the initiator tried to enter the amount as a negative debit. When the system rejected this transaction, the credited amount was just left out and the journal was processed for \$333.00 more than the billed amount. This too was approved by all levels of approvers, including BAPS. We recommend the City enforce the policy regarding submission of approved logs within 15 days of credit card receipt. We further recommend that the City amend the policy to require copies of receipts, and when appropriate, justification of purchases along with the approved log. Additionally, training should be approved by -- to GJ um -- preparers and approvers on correctly identifying the need for and recording the -- the journal entries, handling credits on

## MINUTES

bills, and ways to avoid posting incorrect entries. Now the Department of Finance agrees with the recommendation only in regards to our um -- recommendation of enforcement and training."

Director of Finance: "Yep. That is correct. We do agree with the findings as it relates to uh -- the enforcement i.e., logs not being submitted within 15 days and we do concur with um -- what the Auditor noted regarding um -- errors related to um -- processing the transactions: the debits and credits. What we do not agree with is the recommendation that agencies should attach receipts to the logs for submission um -- to the Finance Department for review. When this policy was created, Audits and the Department of Finance reviewed this and the decision was made that receipts should not be attached to the log because that would require a staffing issue for Finance. The Bureau of Procurement does not have the staffing to manually review all of those receipts. So the AM policy, when established, was designed that it would be an agency responsibility to maintain the records. So, Finance's position is if the Audit Department believes that an agency has a transaction that is inappropriate, Audits should cite that agency -- and the agency should develop a plan for corrective action."

## MINUTES

Mayor: "Would um -- would you agree that receipts should be attached to all transactions? Whether it goes to the Department or whoever shouldn't the receipts be attached to the transaction."

Director of Finance: "In accordance with the present AM policy, it's the responsibility of each agency and their account administrator to maintain the receipts."

President: "Okay. Um -- I just want to know whether that \$333.00 was um -- refunded?"

Director of Finance: "It was corrected."

President: "Okay."

Mayor: "Alright."

President: "Alright. Okay -- okay."

Acting City Auditor: "Okay. Well um -- as far as the \$333.00, we don't have evidence of that being refunded. So, I guess we will have to speak with your Department and ask um -- um -- okay. Uh --"

Comptroller: "Can you follow-up?"

Acting City Auditor: "I -- I will follow-up because at the end of that audit we --"

President: "Follow-up with the Board because we want to make sure that -- that person um -- was not overcharged."

## MINUTES

Acting City Auditor: "Okay. Um -- the -- um -- so in the response to um -- for -- for the Finance, they -- the response um -- stated that they did review the activity log. So, our agency -- the agency's response states they review the activity log, but per our finding above -- we noted BAPS did not receive or provide evidence of receipt for 10 out of 24 activity logs tested. This is 40% of our sample. Therefore, the finding stands, based on our testing. And in conclusion, the Department of Finance system is critical for the successful operation of the City of Baltimore. The system is relied upon for accuracy at the agency level and the system is used by the Department of Audits for completion of the CAFR. More controls are needed to ensure proper use and understanding of routine journal -- non-routine journal entries within the Department of Finance, BAPS Division."

President: "Thank you. The audit has been **NOTED**."

\* \* \* \* \*

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 1031 N. Carey Street, (Block 0065, Lot 031) by gift from Dominion Properties, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agreed to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Dominion Properties, LLC. has offered to donate to the City, title to the property at 1031 N. Carey Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Department will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through March 29, 2018, other than water bills which must be paid as part of the transaction is as follows:



## MINUTES

DHCD - cont'd

Tax Sale Cert. #294604	05/18/2015	\$1,037.98
Real Property Tax	2017-2018	90.09
Real Property Tax	2016-2017	95.64
Real Property Tax	2015-2016	112.20
Real Property Tax	2014-2015	Incl. in 2015 Tax Sale
Real Property Tax	2013-2014	Incl. in 2015 Tax Sale
Miscellaneous	7350903	Incl. in 2015 Tax Sale
Miscellaneous	7429186	Incl. in 2015 Tax Sale
Registration	043277	<u>1,040.00</u>
	<b>Total Taxes Owed</b>	<b>\$2,375.91</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 1031 N. Carey Street, (Block 0065, Lot 031) by gift from Dominion Properties, LLC, Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the fee simple interest in the property located at 20 N. Wheeler Avenue, (Block 2145, Lot 013) by gift from Dominion Rentals, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agreed to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Dominion Rentals, LLC. has offered to donate to the City, title to the property at 20 N. Wheeler Avenue. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Department will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through March 29, 2018, other than water bills which must be paid as part of the transaction is as follows:

## MINUTES

DHCD - cont'd

Tax Sale Cert. #303487	05/18/2015	\$4,774.52
Real Property Tax	2017-2018	406.47
Real Property Tax	2016-2017	478.38
Real Property Tax	2015-2016	561.30
Real Property Tax	2014-2015	Incl. in 2015 Tax Sale
Real Property Tax	2013-2014	Incl. in 2015 Tax Sale
Real Property Tax	2012-2013	Incl. in 2015 Tax Sale
Miscellaneous	6323752	Incl. in 2015 Tax Sale
Miscellaneous	6367072	Incl. in 2015 Tax Sale
Miscellaneous	6605109	Incl. in 2015 Tax Sale
Miscellaneous	6728760	Incl. in 2015 Tax Sale
Miscellaneous	7220890	Incl. in 2015 Tax Sale
Miscellaneous	7462609	Incl. in 2015 Tax Sale
Miscellaneous	8111213	160.18
Registration	830547	<u>1,341.60</u>
	<b>Total Taxes Owed</b>	<b>\$7,722.45</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 20 N. Wheeler Avenue, (Block 2145, Lot 013) by gift from Dominion Rentals, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 1631 N. Washington Street, (Block 1469, Lot 045) by gift from Dominion Properties, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agreed to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Dominion Properties, LLC. has offered to donate to the City, title to the property at 1631 N. Washington Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Department will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through March 29, 2018, other than water bills which must be paid as part of the transaction is as follows:

## MINUTES

DHCD - cont'd

Tax Sale Cert. #303360	05/18/2015	\$2,992.35
Real Property Tax	2017-2018	37.37
Real Property Tax	2016-2017	31.88
Real Property Tax	2015-2016	Incl. in 2015 Tax Sale
Real Property Tax	2014-2015	Incl. in 2015 Tax Sale
Real Property Tax	2013-2014	Incl. in 2015 Tax Sale
Real Property Tax	2012-2013	Incl. in 2015 Tax Sale
Real Property Tax	2011-2012	Incl. in 2015 Tax Sale
Real Property Tax	2010-2011	Incl. in 2015 Tax Sale
Miscellaneous	6465785	Incl. in 2015 Tax Sale
Miscellaneous	6643100	Incl. in 2015 Tax Sale
Miscellaneous	6758560	Incl. in 2015 Tax Sale
Miscellaneous	7398092	Incl. in 2015 Tax Sale
Miscellaneous	7444219	Incl. in 2015 Tax Sale
Miscellaneous	7472434	Incl. in 2015 Tax Sale
Miscellaneous	7482466	Incl. in 2015 Tax Sale
Miscellaneous	7668833	325.13
Miscellaneous	7693161	321.90
Miscellaneous	8080236	248.47
Miscellaneous	8122467	233.07
Registration	043277	<u>240.00</u>
<b>Total Taxes Owed</b>		<b>\$4,430.17</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 1631 N. Washington Street, (Block 1469, Lot 045) by gift from Dominion Properties, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 1514 N. Wolfe Street, (Block 1478, Lot 042) by gift from Dominion Properties, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agreed to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Dominion Properties, LLC. has offered to donate to the City, title to the property at 1514 N. Wolfe Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Department will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through March 29, 2018, other than water bills which must be paid as part of the transaction is as follows:

## MINUTES

DHCD - cont'd

Tax Sale Cert. #314632	05/16/2016	\$4,241.88
Tax Sale Cert. #269369	05/21/2012	218.05
Real Property Tax	2017-2018	87.90
Real Property Tax	2016-2017	95.64
Real Property Tax	2015-2016	Incl. in 2016 Tax Sale
Real Property Tax	2014-2015	Incl. in 2016 Tax Sale
Real Property Tax	2013-2014	Incl. in 2016 Tax Sale
Miscellaneous	6684971	Incl. in 2016 Tax Sale
Miscellaneous	6723969	Incl. in 2016 Tax Sale
Miscellaneous	6750079	Incl. in 2016 Tax Sale
Miscellaneous	7046147	Incl. in 2016 Tax Sale
Miscellaneous	7123441	Incl. in 2016 Tax Sale
Miscellaneous	7289515	Incl. in 2016 Tax Sale
Miscellaneous	7426711	Incl. in 2016 Tax Sale
Miscellaneous	7447642	Incl. in 2016 Tax Sale
Miscellaneous	7499650	Incl. in 2016 Tax Sale
Miscellaneous	7651995	Incl. in 2016 Tax Sale
Miscellaneous	7722762	Incl. in 2016 Tax Sale
Miscellaneous	7789522	Incl. in 2016 Tax Sale
Miscellaneous	8019911	257.17
Miscellaneous	8091043	205.60
Miscellaneous	8177859	239.77
Miscellaneous	8221293	277.33
Miscellaneous	8329005	216.57
Miscellaneous	8383598	207.87
Environmental Fine	54122460	1,500.00
Registration	043277	<u>1,040.00</u>
<b>Total Taxes Owed</b>		<b>\$ 8,587.78</b>

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 1514 N. Wolfe Street, (Block 1478, Lot 042) by gift from Dominion Properties, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.



**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 723 N. Fulton Avenue, (Block 0097, Lot 040) by gift from Dominion Financial Services, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agreed to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Dominion Financial Services, LLC. has offered to donate to the City, title to the property at 723 N. Fulton Avenue. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Department will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through March 29, 2018, other than water bills which must be paid as part of the transaction is as follows:

## MINUTES

DHCD - cont'd

Tax Sale Cert. #297218	05/18/2015	\$ 8,604.47
Real Property Tax	2017-2018	90.09
Real Property Tax	2016-2017	95.64
Real Property Tax	2015-2016	112.20
Real Property Tax	2014-2015	Incl. in 2015 Tax Sale
Real Property Tax	2013-2014	Incl. in 2015 Tax Sale
Real Property Tax	2012-2013	Incl. in 2015 Tax Sale
Real Property Tax	2011-2012	Incl. in 2015 Tax Sale
Miscellaneous	6305635	Incl. in 2015 Tax Sale
Miscellaneous	6379465	Incl. in 2015 Tax Sale
Miscellaneous	6395420	Incl. in 2015 Tax Sale
Miscellaneous	6669709	Incl. in 2015 Tax Sale
Miscellaneous	6682595	Incl. in 2015 Tax Sale
Miscellaneous	6727283	Incl. in 2015 Tax Sale
Miscellaneous	6758866	Incl. in 2015 Tax Sale
Miscellaneous	6799076	Incl. in 2015 Tax Sale
Miscellaneous	7018179	Incl. in 2015 Tax Sale
Miscellaneous	7144488	Incl. in 2015 Tax Sale
Miscellaneous	7485022	Incl. in 2015 Tax Sale
Miscellaneous	7501984	Incl. in 2015 Tax Sale
Miscellaneous	7598972	Incl. in 2015 Tax Sale
Miscellaneous	8189524	243.42
Miscellaneous	8207508	316.94
Miscellaneous	8296907	304.37
Miscellaneous	8472805	242.01
Environmental Fine	52756715	1,500.00
Registration	827321	<u>2,035.80</u>
<b>Total Taxes Owed</b>		<b>\$13,544.94</b>

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 723 N. Fulton Avenue, (Block 0097, Lot 040) by gift from Dominion Financial Services, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the fee simple interest in the property located at 1636 N. Durham Street, (Block 1467, Lot 071) by gift from Dominion Rentals, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agreed to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Dominion Rentals, LLC. has offered to donate to the City, title to the property at 1636 N. Durham Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Department will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through March 29, 2018, other than water bills which must be paid as part of the transaction is as follows:

## MINUTES

DHCD - cont'd

Tax Sale Cert. #282218	10/23/2013	\$ 2,079.32
Real Property Tax	2017-2018	116.45
Real Property Tax	2016-2017	489.75
Real Property Tax	2015-2016	473.13
Real Property Tax	2014-2015	415.46
Real Property Tax	2013-2014	339.62
Miscellaneous	6407738	Incl. in 2013 Tax Sale
Miscellaneous	6556914	Incl. in 2013 Tax Sale
Miscellaneous	6580153	Incl. in 2013 Tax Sale
Miscellaneous	6713234	Incl. in 2013 Tax Sale
Miscellaneous	7134216	347.07
Miscellaneous	7371701	326.77
Miscellaneous	7433162	196.74
Miscellaneous	8341950	176.80
Miscellaneous	8365090	271.97
Miscellaneous	8484073	238.04
Registration	817461	<u>1,341.60</u>
	<b>Total Taxes Owed</b>	<b>\$ 6,812.72</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 1636 N. Durham Street, (Block 1467, Lot 071) by gift from Dominion Rentals, LLC. Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the fee simple interest in the property located at 1114 W. Saratoga Street, (Block 0155, Lot 008) by gift from the Bankruptcy Estate of City Homes West Business Trust, Zvi Guttman, Chapter 11 Plan Trustee, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The City has agreed to pay for any title work and all associated settlement costs, not to exceed \$600.00 total.

Account No. 9910-908044-9588-900000-704044, Poppleton Phase 4 Project.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

The Bankruptcy Estate of City Homes West Business Trust, Zvi Guttman, Chapter 11 Plan Trustee has offered to donate to the City, title to the property at 1114 W. Saratoga Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Department will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through March 26, 2018, other than water bills which must be paid as part of the transaction is as follows:

MINUTES

DHCD - cont'd

Real Property Tax	2017-2018	\$ 105.44
Miscellaneous Bill	6885685	<u>9,883.04</u>
	<b>Total Owed</b>	<b>\$ 9,988.48</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 1114 W. Saratoga Street, (Block 0155, Lot 008) by gift from the Bankruptcy Estate of City Homes West Business Trust, Zvi Guttman, Chapter 11 Plan Trustee, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 1018 N. Carrollton Avenue, (Block 0065, Lot 039) by gift from Saint Phillips Baptist Church Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agreed to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

Saint Phillips Baptist Church, has offered to donate to the City, title to the property at 1018 N. Carrollton Avenue. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Department will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through April 17, 2018, other than water bills which must be paid as part of the transaction is as follows:



MINUTES

DHCD - cont'd

Real Property Tax	2017-2018	\$ 0.00
Miscellaneous Bill	7935984	<u>216.73</u>
<b>Total Owed</b>		<b>\$ 216.73</b>

UPON MOTION duly made and seconded, the Board approved and authorized execution of the acquisition of the leasehold interest in the property located at 1018 N. Carrollton Avenue, (Block 0065, Lot 039) by gift from Saint Phillips Baptist Church Owner, SUBJECT to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and - Side Yard Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Side Yard Land Disposition Agreement (LDA) with Nneka Nnamdi, Purchaser, for the sale of the City-owned property located at 701 N. Fremont Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000.00 - Purchase price

**BACKGROUND/EXPLANATION:**

The property will be sold under the City's Side Yard Policy approved by the Board on August 17, 2011.

The property will be sold for \$1,000.00, of which \$400.00 will be held in escrow by the City for the benefit of the Purchaser to be applied at settlement for closing costs, including transfer taxes, recordation fees, taxes, and associated title services. The Purchaser will be using private funds to pay for the acquisition and maintenance of the property.

The Department's Land Resources Division, on behalf of the Mayor and City Council, strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods.

The City has agreed to convey the property known as 701 N. Fremont Avenue to Nneka Nnamdi, the adjacent property owner. As a condition of conveyance, Nneka Nnamdi has agreed to the terms of the Side Yard LDA, which prohibits development of the parcel for a minimum of ten years.

**MINUTES**

DHCD - cont'd

The City may dispose of the property by virtue of the following legal authorities: Article 28, Subtitle 8 of the Baltimore City Code (2011 Edition) (hereinafter, the City Code); Article II, Section 15 of the Baltimore City Charter, 2011 Edition; and Article 13 of the City Code.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE OF THE PROPERTY:**

The property is being sold for \$1,000.00, as the Purchaser holds title on the adjacent property as owner occupied. The rationale for the conveyance of the property is that the sale will serve a specific benefit to the immediate community, eliminate blight, and return the property to the tax rolls.

**MBE/WBE PARTICIPATION:**

Nneka Nnamdi will purchase this property for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation. Therefore, Minority and Women's Business Enterprise participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Side Yard Land Disposition Agreement with Nneka Nnamdi, Purchaser, for the sale of the City-owned property located at 701 N. Fremont Avenue.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement with New Reflections, Inc., Developer, for the sale of the City-owned properties located at 518, 520, and 522 N. Gilmore Street.

**AMOUNT OF MONEY AND SOURCE:**

\$2,250.00 - 518 N. Gilmore Street  
2,250.00 - 520 N. Gilmore Street  
2,250.00 - 522 N. Gilmore Street  
**\$6,750.00** - Purchase price

**BACKGROUND/EXPLANATION:**

The project will consist of three vacant buildings, which once rehabilitated will be resold to homeowners.

The properties were approved for sale on April 15, 2011.

The authority to sell these properties located at 518, 520, and 522 N. Gilmore Street is within Article 13, §2-7 (h)(2) of the Baltimore City Code.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE PRICE DETERMINED BY THE WAIVER VALUATION PRICE:**

Pursuant to the Appraisal Policy of Baltimore City, the Waiver Valuation Process determined that the properties located at 518, 520, and 522 N. Gilmore Street were valued at \$4,500.00 each and are being sold for \$2,250.00 each for a total of \$6,750.00.

**MINUTES**

DHCD - cont'd

The properties will be sold below the Waiver valuation price for the following reasons:

- the sale will help promote a specific benefit to the immediate community,
- the sale and rehabilitation will help eliminate of blight from the neighborhood, and
- the sale and rehabilitation will promote economic development and place the subject properties on the City's tax rolls.

**MBE/WBE PARTICIPATION:**

The Developer will purchase this property for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation; therefore, Minority and Women's Business Enterprise participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with New Reflections, Inc., Developer, for the sale of the City-owned properties located at 518, 520, and 522 N. Gilmore Street.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development - Options</u>			
1. Nathaniel Brown and Nathaniel Brown and Patricia Brown	1023 Sarah Ann St.	½ L/H  ½ L/H	\$ 8,000.00
2. Jonathan Jacobs Personal Representative of The Estate of Joan Merowitz Jacobs	315 N. Arlington Ave.	G/R \$18.75	\$ 171.00
Funds are available in account no. 9910-908044-9588-900000-704040, Poppleton Project, Phase 4.			
3. Amy S. Nochumowitz Substitute Trustee	1077 W. Fayette St.	G/R \$120.00	\$ 1,100.00
Funds are available in account no. 9910-914135-9588-900000- 704040, Poppleton Project.			
4. 2724 Hugo LLC	2724 Hugo Ave.	L/H	\$47,200.00
Funds are available in account no. 9910-904326-9588-900000- 704040, Fenwick/Hugo 28 <sup>th</sup> Street Project.			
5. Move Upton, LLC	802 Edmondson Ave.	F/S	\$ 7,700.00
6. Move Upton, LLC	809 Edmondson Ave.	L/H	\$ 7,700.00

**MINUTES****OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development - Options - cont'd</u>			
8. Move Upton, LLC	838 Edmondson Ave.	L/H	\$ 7,700.00
9. Move Upton, LLC	840 Edmondson Ave.	L/H	\$ 9,350.00

Funds are available in account no. 9910-908044-9588-900000-704040, Upton West Site.

In the event that the option agreement/s fail/s and settlement cannot be achieved, the Department requests the Board's approval to purchase the interest in the above property/ies by condemnation proceedings for an amount equal to or lesser than the option amount/s.

Dept. of Housing and Community Development - Condemnations

10. The Guardian Foundation, LLC	1022 W. Saratoga St.	L/H	\$ 2,250.00
-------------------------------------	----------------------	-----	-------------

Funds are available in account no. 9910-908044-9588-900000-704040, Poppleton Project, Phase 4.

DHCD - Condemnation or Redemption

11. Walter Y. Goodwich	915 N. Fremont Ave.	G/R	\$ 600.00
			\$90.00

Funds are available in account no. 9910-907079-9588-900000-704040, Ground Rent Acquisition Project.

**MINUTES****OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnation or Redemption - cont'd</u>			
<p>The Board is requested to approve acquisition of the ground rent interest by condemnation, or in the alternative may, SUBJECT to the prior approval of the Board, make application to the Maryland Department of Assessments and Taxation to redeem or extinguish the ground rent interest for these properties.</p>			
<u>Department of Law - Payment of Settlement</u>			
12. Gregory A. Slate (Prior Owner)	1424 N. Gay Street	L/H	\$17,100.00

On March 1, 2017, the Board approved the acquisition of the leasehold interest by condemnation in the real property located at 1424 N. Gay Street. The Board previously approved \$3,700.00 to acquire the subject property's leasehold interest based upon the higher of two independent appraisal reports. An updated appraisal report increased the fair market value to \$4,700.00. The Owner filed an Answer contesting the fair market value and filed a Counterclaim for inverse condemnation, against the City in the amount of \$225,000.00. As a result of a pre-trial conference, the parties agreed to a settlement in the amount of \$20,800.00. Thus, the Board is requested to approve an additional \$17,100.00 in settlement of this case.

Funds will be drawn from account no. 9910-910634-9588-900000-704040.

UPON MOTION duly made and seconded, the Board approved the Options, the Condemnation, the Condemnation or Redemption, and the Payment of Settlement.



**MINUTES**

Department of Planning - Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Grant Agreement with the State of Maryland Department of Natural Resources Critical Area Commission. The period of the Grant Agreement is July 1, 2018 through June 30, 2019.

**AMOUNT OF MONEY AND SOURCE:**

\$10,200.00 - 5000-507419-1875-517600-600000

**BACKGROUND/EXPLANATION:**

This Grant Agreement will extend the State's support for the City's Critical Area Management Program. The State has provided support for this project since 1988 and there is no local match required. The funds will be used to help offset the operating costs incurred by the Department of Planning in ensuring the City's compliance with State Chesapeake Bay Critical Area regulations.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with the State of Maryland Department of Natural Resources Critical Area Commission.

**MINUTES**

Department of Planning - Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Grant Agreement with Civic Works, Inc. The period of the Grant Agreement is effective upon Board approval for one year.

**AMOUNT OF MONEY AND SOURCE:**

\$79,990.00 - 9904-922021-9127-900000-704067

**BACKGROUND/EXPLANATION:**

Under this agreement, the Department of Planning will provide funding to Civic Works, Inc. a non-profit organization, to support a robust workforce development program to transform vacant lots into a shared green space and community garden.

The INSPIRE program occurs in neighborhoods surrounding schools being modernized through the 21<sup>st</sup> Century Schools Building program. Each INSPIRE effort involves a community-selected priority project which may include turning vacant lots into community space and gardens.

Civic Works, Inc. utilizes a workforce development program to transform vacant lots into temporary green spaces by training high school students through the Civic Works' Baltimore Conservation Leadership Corps and young adults through the Community Lot Team. In working to "Clean and Green" vacant lots, participants will develop job skills, remain physically active and learn more about the environment. Civic Works, Inc. will work with the community stakeholders to turn vacant lots into thriving community gardens and shared green spaces.

**MBE/WBE PARTICIPATION:**

For each project, the Department of Planning and Civic Works, Inc. will develop a scope of work and draft budget. Projects totaling

**MINUTES**

Dept. of Planning - cont'd

\$50,000.00 will be reviewed by the Law Department's Minority and Women's Business Opportunity Office to determine what, if any goals will be set.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with Civic Works, Inc.

**MINUTES**

Law Department - Settlement Agreement and Release

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Settlement Agreement and Release for the action brought by Faye Hayes, Plaintiff, against the Mayor and City Council of Baltimore.

**AMOUNT OF MONEY AND SOURCE:**

\$165,000.00 - 2044-000000-1450-703800-603070

**BACKGROUND/EXPLANATION:**

The Plaintiff alleges that her home at 3518 Cardenas Avenue sustained property damage due to multiple sewage backups.

On April 30, 2014, August 4, 2014, August 11, 2014, January 18, 2018 and February 24, 2016, sewage backups occurred at the Plaintiff's home. As a result of the multiple sewage backups, she sustained damage to her personal and real property.

In order to resolve this litigation economically and to avoid the expense, time, and uncertainties of further protracted litigation, the parties have agreed to a payment of \$165,000.00 in complete settlement of the case, including attorney's fees. The Plaintiff has agreed to dismiss and release all claims against the City, and its employees, agents and representatives.

Based on a thorough review of the facts and circumstances surrounding the series of backups by the Settlement Committee of the Law Department, this recommendation to approve the settlement is made to the Board of Estimates.

**APPROVED FOR FUNDS BY FINANCE**

**MINUTES**

Law Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Settlement Agreement and Release for the action brought by Faye Hayes, Plaintiff, against the Mayor and City Council of Baltimore.

MINUTES

Enoch Pratt Free Library - TRANSFER OF LIFE-TO-DATE SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Carlotta Young.

The transfer of sick leave days is necessary in order for the designated employee to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

<u>NAMES</u>	<u>DAYS</u>
Deborah D. Taylor	5
Rhoda Ruggs	5
Nathaniel E. Smith	5
Jan Westervelt	5
Charles R. Lane	5
Eric Thornton	5
David Harcum	5
Craig Lee	5
<b>TOTAL</b>	<b>40</b>

**APPROVED FOR FUNDS BY FINANCE**

**THE LABOR COMMISSIONER RECOMMENDED APPROVAL.**

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Carlotta Young.

**MINUTES**Enoch Pratt Free Library - TRANSFER OF LIFE-TO-DATE  
SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Deborah Robertson.

The transfer of sick leave days is necessary in order for the designated employee to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

<u>NAMES</u>	<u>DAYS</u>
John A. Damond Jr.	5
Andeberhan Tensae	5
Erin Kelly	5
Eva Slezak	5
Alprescia M. Rivers	5
Jeanne Lauber	5
Devon Ellis	5
Shaileen S. Beyer	4
Stuart Ragland II	<u>1</u>
<b>TOTAL</b>	<b>40</b>

**APPROVED FOR FUNDS BY FINANCE**

**THE LABOR COMMISSIONER RECOMMENDED APPROVAL.**

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Deborah Robertson.

**MINUTES**

Fire and Police Employees' - Subscription Agreement  
Retirement System (F&P)

**ACTION REQUESTED OF B/E:**

The Board is requested by the Board of Trustees of the Fire and Police Employees' Retirement System (F&P) to approve a Subscription Agreement with Nexus Special Situations II, L.P., managed by Nexus Capital Management LP.

**AMOUNT OF MONEY AND SOURCE:**

\$16,000,000.00 (approximately) - of ERS funds

No General Fund monies are involved in this transaction.

**BACKGROUND/EXPLANATION:**

All funds and expenses will be expended from the F&P. The F&P Board of Trustees conducted a search for a private equity investment manager and, as a result selected Nexus Capital Management LP to accept an initial investment of \$16,000,000.00 to be placed with Nexus Special Situations II, L.P., a distressed credit and special situation fund.

The search and selection process was conducted with the assistance and advice of the F&P's investment advisor, Summit Strategies Group.

**MWBOO GRANTED A WAIVER.**

UPON MOTION duly made and seconded, the Board as requested by the Board of Trustees of the Fire and Police Employees' Retirement System approved the Subscription Agreement with Nexus Special Situations II, L.P., managed by Nexus Capital Management LP. The Comptroller **ABSTAINED**.



**MINUTES**

Department of Finance - Capital Projects Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Capital Projects Grant Agreement (Agreement) with the State of Maryland, acting through the Board of Public Works (State). The period of the Capital Projects Grant Agreement is through June 1, 2022.

**AMOUNT OF MONEY AND SOURCE:**

\$50,000.00 - 9910-906984-9588

**BACKGROUND/EXPLANATION:**

In 2015, the Maryland General Assembly approved a grant in the amount of \$50,000.00 to the Mayor and City Council of Baltimore as Grantee and the Housing Authority of Baltimore City (HABC) as Beneficiary for the Cherry Hill Early Head Start Center located at 2707 Sethlow Road.

The Funds will be used for capital costs associated with the redevelopment of the Cherry Hill Early Head Start Center (Center) and are provided on a reimbursement basis. This Agreement includes a \$50,000.00 match requirement. The HABC will provide evidence that the matching grant requirements was been met and will seek reimbursement for the grant from the City, after which the City will seek reimbursement from the State.

The Center is owned by the HABC and has been closed as it did not meet accessibility requirements. The HABC partnered with the Maryland Family Network to renovate and reopen the center as an Early Head Start facility. There are no City funds involved in this project.

**MINUTES**Department of Finance - cont'd

As the Beneficiary of the Agreement, the HABC has the ability to and has agreed to meet the State's requirements. Documentation of matching fund expenditures along with a Request for Reimbursement for Funds was submitted to the State in January 2017. Because the Agreement between the City, the HABC, and the State has not been executed, the State has been unable to approve the match or the request for funds. On June 7, 2017, at the HABC's request, the State extended the deadline to provide matching funds through June 1, 2018.

This Agreement stipulates that the City is responsible for meeting the matching funds requirement. The HABC is eligible to submit documentation that the matching funds requirement has been met and has submitted the appropriate documentation. The Department of Housing and Community Development (DHCD) has established a dedicated account equal to the amount of the required match until such time that the State provides documentation that the expenditure of funds has been accepted.

Following approval of this Agreement, the Board will be asked to approve a second grant agreement between the DHCD and the HABC to reimburse the DHCD for the grant amount.

The Capital Projects Grant Agreement is late due to technical changes that were requested in the State's Grant Agreement and subsequently turned down, in addition to the requirement that DHCD provide funds to meet the matching requirement.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Capital Projects Grant Agreement with the State of Maryland, acting through the Board of Public Works.

**MINUTES**

Department of Recreation and Parks - Reimbursement Grant  
Agreement

**ACTION REQUESTED OF THE B/E:**

The Board is requested to approve and authorize the execution of a Reimbursement Grant Agreement with the South Baltimore Gateway Community Impact District (CID) Management Authority d/b/a South Baltimore Gateway Partnership (SBGP). The period of the agreement is effective upon Board approval and will terminate upon the City's receipt of Casino Local Impact Grant (LIG) funds from the SBGP.

**AMOUNT OF MONEY AND SOURCE:**

\$150,000.00 – 6000-600618-4781-363600-607004

**BACKGROUND/EXPLANATION:**

The City and the Baltimore Casino Local Development Council manage the allocation of the LIG funds designated for community and economic development and infrastructure improvements in neighborhoods, parks, and industrial areas in the vicinity of the Horseshoe Casino, known since 2014 as the South Baltimore Gateway. The City established the SBGP as a District Management Authority to represent the residents in the South Baltimore Gateway CID, a geographic territory in Baltimore City.

The City designated a portion of the Casino LIG funds in Fiscal Years 16 and 17 to the CID Management Authority. The SBGP Board of Directors voted to allocate a portion of FY17 SBGP funds to reimburse the Department of Recreation and Parks for cost sharing related to improving the Middle Branch Boat House and Launch and the Gwynns Falls Trail footbridge decking. This allocation was memorialized in the SBGP's FY17 Annual Financial Plan, or FY17 "Budget", adopted by the SBGP Board of Directors on February 22, 2017.

**MINUTES**

Department of Recreation and Parks - cont'd

As required by the City's enabling Ordinance that established the SBGP, the FY17 Budget was submitted to the Board for review and approval, which was granted on April 12, 2017. Under this agreement, the SBGP's funds will reimburse the City upon completion of each approved project, in an amount not to exceed \$150,000.00, in accordance with budgetary allocations for the approved projects illustrated in the submitted exhibits. The City will provide the SBGP with invoices and proof of payments to contractor(s) along with a project report to include photo documentation verifying successful completion of the work. The SBGP will remit payment to the City within 30 days of receipt of the invoices and reports.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Reimbursement Grant Agreement with the South Baltimore Gateway Community Impact District Management Authority d/b/a South Baltimore Gateway Partnership.

**MINUTES**

Department of Public Works/Office - Agreement  
of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement with Johnson, Mirmiran and Thompson, Inc. under SC 982, Design of Eastern Avenue Pumping Station Rehabilitation. The period of the agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$1,120,245.66 - Baltimore City  
8,237.93 - Baltimore County  
**\$1,128,483.59** - 9956-911022-9551-900020-703032

**BACKGROUND/EXPLANATION:**

The Office of Engineering and Construction is in need of engineering services for SC 982, Eastern Avenue Pumping Station Rehabilitation.

The scope of the original agreement includes the Consultant performing an evaluation study of the pumping station. Following acceptance of the study recommendations, they will develop plans, specifications and related contract documents, as well as providing bid phase services for the renovation and modifications of the Eastern Avenue Pumping Station. The scope of work includes data collection, evaluation on the conditions of the existing pumps and motors, incorporation of Variable Frequency Drives for pump speed control, heating, ventilation and air conditioning, instrumentation and control, and evaluate the conditions of the existing yard isolation valves. The Consultant will also prepare a draft and final preliminary engineering report, design document and probable construction cost. The Consultant was approved by the Office of Boards and Commission and the Architectural and Engineering Awards Commission to design this project.

**MINUTES**

Department of Public Works/Office - cont'd  
of Engineering and Construction

**MBE/WBE PARTICIPATION:**

The Consultant will comply with the Minority and Women's Business Enterprise program in accordance with Article 5, Subtitle 28 of the Baltimore City Code and the MBE/WBE goals assigned of MBE 27% and WBE 10%.

<b>MBE:</b> Shah & Associates, Inc.	\$242,864.91	21.52%
DM Enterprises, of Baltimore, LLC	17,661.26	1.56%
Phoenix Engineering, Inc.	74,796.51	6.62%
	<u>\$335,322.68</u>	<u>29.70%</u>
<b>WBE:</b> Carroll Engineering, Inc.	\$ 80,959.07	7.17%
SP Arch, Inc.	31,882.35	2.82%
	<u>\$112,841.42</u>	<u>9.99%</u>

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**AUDITS REVIEWED AND FOUND THE COMPENSATION CONSISTENT WITH CITY POLICY.**

MINUTES

Department of Public Works/Office - cont'd  
of Engineering and Construction

**TRANSFER OF FUNDS**

<b><u>AMOUNT</u></b>	<b><u>FROM ACCOUNT/S</u></b>	<b><u>TO ACCOUNT/S</u></b>
\$1,209,865.32	9956-918017-9549	
Wastewater Revenue	Constr. Reserve	
Bonds	Eastern Avenue	
	PS Rehabilitation	
\$ 8,896.96		
<u>County Revenue</u>		
<b>\$1,218,762.28</b>	-----	9956-911022-9551-3
		Design

The funds are to cover the cost of the design of SC 982, Eastern Avenue Pumping Station Rehabilitation.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Johnson, Mirmiran and Thompson, Inc. under SC 982, Design of Eastern Avenue Pumping Station Rehabilitation. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

## MINUTES

Mayor's Office of Human Services - Agreements

The Board of Estimates is requested to approve the various agreements.

1. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$ 67,418.79**

Account: 4000-407118-3571-760100-603051

Under the terms of this Provider Agreement, St. Vincent de Paul of Baltimore, Inc. will use the funds to provide case management services to homeless individuals and families at its Sarah's Hope Emergency Shelter. The period of the agreement is February 22, 2018 through June 30, 2018.

The agreement is late because of a delay in receipt of notice of the grant award.

**MWBOO GRANTED A WAIVER.**

2. **BALTIMORE CITY FOUNDATION, INC.** **\$264,868.00**

Account: 2025-000000-3574-782800-603051

Under the terms of this Agreement, the Baltimore City Foundation, Inc. will use the funds to support six organizations providing out-of-school-time programs for youth in the Park Heights Neighborhood. The period of the agreement is October 1, 2017 through August 31, 2018.

The agreement is late because of a delay at the administrative level.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the above-listed agreements.



**MINUTES**

Mayor's Office of Human - Ratification of Amendment  
Services (MOHS) No. 1 to Agreement

**ACTION REQUESTED OF B/E:**

The Board of Estimates is requested to ratify Amendment No. 1 to the Agreement with New Vision House of Hope, Inc. The period of the Amendment No. 1 to the Agreement was December 11, 2017 through March 31, 2018.

**AMOUNT OF MONEY AND SOURCE:**

\$34,713.65 - 1001-000000-3572-772800-603051

**BACKGROUND/EXPLANATION:**

On December 13, 2017, the Board approved the Agreement with New Vision House of Hope, Inc. in the amount of \$100,885.75 to provide emergency overnight sheltering for homeless men and women on nights declared Winter Emergency nights by the MOHS, when the outdoor temperature fell below 32 degrees Fahrenheit.

The MOHS requests the Board to ratify this Amendment No. 1 to the Agreement and approve an increase in funding in the amount of \$34,713.65 to cover additional operating costs incurred because of unforeseen continued cold weather during the period of the agreement. This makes the total award \$135,599.40.

The Amendment No. 1 to the Agreement is late because of a delay in budget negotiations with New Vision House of Hope, Inc.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board ratified Amendment No. 1 to the Agreement with New Vision House of Hope, Inc.

**MINUTES**

Mayor's Office of Human Services - Correction to Account  
Number for an Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the correction to the account number for the agreement with Strong City Baltimore, Inc. approved by the Board on June 28, 2017.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On June 28, 2017, the Board approved the original agreement with Strong City Baltimore, Inc., in the amount of \$295,770.00, for the period of September 1, 2017 through August 31, 2018. This agreement allowed Strong City Baltimore, Inc. to provide medium-term rental assistance and supportive services to ten unaccompanied homeless youth, ages 18 to 24.

The account number submitted was 4000-407117-3571-760000-603051. The correct account number is 4000-407017-3571-765000-603051.

This request is late because the clerical error was recently discovered.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the correction to the account number for the agreement with Strong City Baltimore, Inc. approved by the Board on June 28, 2017.

MINUTES

Space Utilization Committee - 1<sup>st</sup> Amendment to  
Sub-lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the 1<sup>st</sup> Amendment to Sub-lease Agreement with The United Way of Central Maryland, Inc., Sub-landlord, for the rental of a portion of the property known as 1800 Washington Boulevard, consisting of approximately 600 sq. ft. The 1<sup>st</sup> Amendment to Sub-lease Agreement will extend the period through June 30, 2019.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$10,402.08	\$866.84

Account: 4000-486319-1772-452200-603013

**BACKGROUND/EXPLANATION:**

On February 15, 2017, the Board approved the original sub-lease agreement for the period of March 1, 2017 through June 30, 2018.

The subleased premises will be used as offices by the City's Head Start Program under the Mayor's Office of Human Services.

This 1<sup>st</sup> Amendment to Sub-lease agreement will extend the sub-lease for an additional one-year period commencing June 30, 2018 and terminating June 30, 2019.

All other rentals, conditions and provisions of the Sublease Agreement dated February 15, 2017 will remain in full force and effect.

**MINUTES**

Space Utilization Committee - cont'd

The Space Utilization Committee approved the 1<sup>st</sup> Amendment to Sublease Agreement on May 8, 2018.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the 1<sup>st</sup> Amendment to Sub-lease Agreement with The United Way of Central Maryland, Inc., Sub-landlord, for the rental of a portion of the property known as 1800 Washington Boulevard, consisting of approximately 600 sq. ft.

**MINUTES**

Department of Real Estate - Assignment of Tax Sale Certificate

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of a Tax Sale Certificate to Tadesse & Associates, Inc. for the property known as NS 10 foot alley 1<sup>st</sup> S of Orleans Street Rear 227-29 N. Collington Avenue (Block 1688, Lot 75).

**AMOUNT OF MONEY AND SOURCE:**

<u>Property Address</u>	<u>Appraised Value</u>	<u>Flat Taxes &amp; Water Changes</u>	<u>Total Liens</u>	<u>Recommended Purchase Price</u>
NS 10 ft. alley 1 <sup>st</sup> S of Orleans St. Rear 227-29 N. Collington Avenue	\$3,600.00	\$4,375.54	\$10,488.12	\$4,375.54

**BACKGROUND/EXPLANATION:**

The City acquired the Tax Sale Certificate for NS 10 foot alley 1<sup>st</sup> S of Orleans Street Rear 227-29 N. Collington Avenue (Block 1688, Lot 75) on May 15, 2017, in the total amount of \$10,488.12.

Tadesse & Associates, Inc. has offered to purchase the Tax Sale Certificate for NS 10 foot alley 1<sup>st</sup> S of Orleans Street Rear 227-29 N. Collington Avenue (Block 1688, Lot 75) in the total amount of \$4,375.54, file a petition to foreclose, acquire title to the property, and return it to productive use. The purchase price of \$4,375.54 will cover the flat taxes and water charges.

**MINUTES**

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved the assignment of a Tax Sale Certificate to Tadesse & Associates, Inc. for the property known as NS 10 foot alley 1st S of Orleans Street Rear 227-29 N. Collington Avenue (Block 1688, Lot 75).

MINUTES

Space Utilization Committee - 1<sup>st</sup> Amendment to Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the 1<sup>st</sup> Amendment to Lease Agreement with Baltimore Harbor Properties, LLC, Landlord, for the rental of a portion of the property known as 5610 Harford Road, being on the lower level, consisting of approximately 3,500 square feet. The 1<sup>st</sup> Amendment to Lease Agreement will extend the period through May 31, 2020, with the option to renew for an additional two years.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$57,368.17	\$4,780.68 - June 1, 2018 through May 31, 2019
\$57,368.17	\$4,780.68 - June 1, 2019 through May 31, 2020
Accounts: 4000-423218-3080-294100-603013 - FY 2018	
4000-423219-3080-294100-603013 - FY 2019	

**BACKGROUND/EXPLANATION:**

The leased premises will be used for offices for the Health Department's WIC Program.

On June 30, 2010 the Board approved the original lease agreement for the period of June 1, 2010 through May 31, 2014, which was renewed for an additional four years, commencing June 1, 2014 through May 31, 2018.

This 1<sup>st</sup> Amendment to Lease Agreement will extend the period for an additional two years through May 31, 2020, with the option to renew for an additional two-year period.

**MINUTES**Space Utilization Committee - cont'd

All other conditions, provisions and terms of the original lease dated June 30, 2010 will remain in full force and effect.

The Space Utilization Committee approved this 1<sup>st</sup> Amendment to Lease Agreement at its meeting of May 8, 2018.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the 1<sup>st</sup> Amendment to Lease Agreement with Baltimore Harbor Properties, LLC, Landlord, for the rental of a portion of the property known as 5610 Harford Road, being on the lower level, consisting of approximately 3,500 square feet.



MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Procurement

- |  |              |                             |
|--|--------------|-----------------------------|
| 1. BIOPOOL US, INC.<br>d/b/a TRINITY BIOTECH<br>DISTRIBUTION, INC.                     | \$ 96,000.00 | Ratification<br>and Renewal |
| Contract No. B50003556 - Uni-Gold HIV Test Kits - Health Department - P.O. No. P529128 |              |                             |

On November 5, 2014, the Board approved the initial award in the amount of \$40,045.00. The award contained three renewal options. Two renewal options have been exercised. The funding increase will meet the current demand for the test kits. The ratification is for the period November 12, 2017 through March 13, 2018. This final renewal is for the period March 14, 2018 through November 11, 2018. The ratification is late because of an oversight of the buyer. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

Not applicable. The initial award was below MBE/WBE subcontracting threshold of \$50,000.00.

- |  |                           |          |
|--|---------------------------|----------|
| 2. <b><u>ITEM NO. 1 - LIGHT TOWERS</u></b><br>NATIONAL CAPITAL INDUSTRIES,<br>INC.   | \$43,240.00               |          |
| <b><u>ITEM NO. 2. SOLAR POWERED<br/>ARROW BOARDS</u></b><br>DIMENSIONAL PRODUCTS, INC.   | 0.00                      |          |
|  | <b><u>\$43,240.00</u></b> | Increase |
| Contract No. B50005223 - Light Towers and Solar Powered Arrow Boards - Department of General Services, Fleet Management - P.O. No. P542550 |                           |          |

On February 7, 2018, the Board approved the initial award in the amount of \$176,752.00. On March 28, 2018, the Board

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Procurement

approved an increase in the amount of \$198,904.00. This increase in the amount of \$43,240.00 is necessary to purchase five additional light towers to provide light to dimly light streets as part of the Mayor's violence reduction initiative. The need for these additional light towers was identified after the solicitation had been awarded. This increase will make the award amount \$418,986.00. The contract expires on February 6, 2019. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On May 15, 2017, MWBOO determined that no goals would be set because of no opportunity to segment the contract. This is a purchase of commodities from an authorized heavy equipment dealer who is required to provide associated pre-delivery inspection and warranty parts.

**MWBOO GRANTED A WAIVER.**3. **ITEM NOS. 1 & 2**

FINCH SERVICES, INC.

**ITEM NO. 3**

WOODBINE EQUIPMENT AND  
SUPPLY, LLC

\$ 25,000.00

Increase

Contract No. B50004876 - Mowers Various Types - Department of  
General Services, Fleet Management - P.O. No. P539810

On June 7, 2017, the Board approved the initial award in the amount of \$219,201.67. On August 29, 2017, the City Purchasing Agent approved an increase in the amount of \$50,000.00. This increase in the amount of \$25,000.00 is needed to purchase three additional 72" lawn mowers to replace older units that have exceeded their life cycle. The need for these additional lawn mowers was identified after the solicitation had been awarded. This increase will make the award amount \$294,201.67.

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

<b><u>VENDOR</u></b>	<b><u>AMOUNT OF AWARD</u></b>	<b><u>AWARD BASIS</u></b>
----------------------	-------------------------------	---------------------------

Bureau of Procurement

The above amount is the City's estimated requirement. The contract expires on June 6, 2018.

**MBE/WBE PARTICIPATION:**

On July 13, 2016, MWBOO determined that no goals would be set because of no opportunity to segment the contract. This is a purchase of commodities from an authorized heavy equipment dealer who is required to provide associated pre-delivery inspection and warranty repairs.

**MWBOO GRANTED A WAIVER.**

4. LIBERTY LUMBER & SUPPLY  
CO., INC. d/b/a PIKESVILLE  
LUMBER COMPANY \$250,000.00 Increase
- Contract No. B50004259 - Supply and Deliver Lumber to Various City Agencies - Departments of Public Works, Transportation, General Services, Fire, Police and Recreation and Parks, etc.

On November 18, 2015, the Board approved the initial award in the amount of \$250,000.00. On October 25, 2017, the Board approved the sole renewal in the amount of \$610,000.00. Due to increased usage required by the Department of Public Works to board vacant properties throughout the City and to cover requests from various City agencies, an increase in the amount of \$250,000.00 is necessary. This increase will make the award amount \$1,110,000.00. The contract expires on November 30, 2018. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On August 3, 2015, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Procurement

## 5. TENNANT SALES AND SERVICE

COMPANY	\$ 64,481.92	Increase
Contract No. 06000 - Litter Vacuum Machines - Department of General Services - P.O. R794338		

On January 17, 2018, the Board approved the initial award in the amount of \$478,104.28. On April 4, 2018, the City Purchasing agent approved an increase in the amount of \$32,240.96. An increase in the amount of \$64,481.92 is necessary to purchase two additional litter vacuum machines to replace older units in the City's fleet, as part of Fleet Management's planned replacement program. This increase will make the award amount \$574,827.16. The contract expires on January 16, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On May 15, 2017, it was determined that no goals would be set because of no opportunity to segment the contract. This is a purchase of commodities from the manufacturer who is required to provide associated pre-delivery inspection and warranty parts.

**MWBOO GRANTED A WAIVER.**

## 6. COMPUTER TASK GROUP

INCORPORATED	\$1,528,860.00	Increase
Contract No. 06000 - Water Billing CIS Testing - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P534108		

On January 13, 2016, the Board approved the initial award in the amount of \$1,390,600.00. Due to increased costs associated

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Procurement

with moving the date to bring Baltimore County within the new billing system and ensure that all business requirements are in place and functioning by January 2019, an increase in the amount of \$1,528,860.00 is necessary. The contract expires through completion of testing. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On December 16, 2015, it was determined that no goals would be set because of no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER.**

- |   |                  |              |         |
|---|------------------|--------------|---------|
| 7.  | DOSS MARINE, LLC | \$ 49,997.00 | Low Bid |
| Solicitation No. B50005407 - SeaArk Model 2472 Workhorse 24-Foot Boat - Department of General Services, Fleet Management - Req. No. R791478 |                  |              |         |

Vendors were solicited by posting on CitiBuy. On May 3, 2018, the only bid received was opened and is considered fair and reasonable. This is for the purchase of one boat.

**MBE/WBE PARTICIPATION:**

Not applicable. The requested amount is below the MBE/WBE subcontracting threshold of \$50,000.00.

- |   |                      |              |         |
|---|----------------------|--------------|---------|
| 8.  | FINCH SERVICES, INC. | \$ 25,726.73 | Low Bid |
| Solicitation No. B50005394 - John Deere 3039R Compact Tractor - Department of General Services, Fleet Management - Req. No. R792492 |                      |              |         |

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Procurement

Vendors were solicited by posting on CitiBuy. On April 30, 2018, the two bids received were opened. Award is recommended to the lowest, responsive and responsible bidder.

MBE/WBE PARTICIPATION:

Not applicable. The requested amount is below the MBE/WBE subcontracting threshold of \$50,000.00.

- |  |              |                 |
|--|--------------|-----------------|
| 9. ELLIOTT & FRANZ,<br>INC.  | \$400,000.00 | Selected Source |
| Contract No. 06000 - O.E.M. Parts and Service for Gradall & Wirtgen Cold Milling Machine - Department of General Services, Fleet Management - Req. No. R793490 |              |                 |

Elliott & Frantz, Inc. is the only authorized dealer within 35 miles of the City of Baltimore for O.E.M. Parts and Service for Gradall & Wirtgen Cold Milling Machines. The vendor supply's the cold milling machine under Contract B50004615 (Wirtgen Cold Milling Machine) and B50005170 (Gradall Cold Milling Machine). The company is responsible for repairs, replacement, maintenance and warranty of these cold milling machines. The period of the award is May 31, 2018 through May 30, 2021. The above amount is the City's estimated requirement.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practicable to obtain competitive bids. Therefore, pursuant to Article VI, Section 11(e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

On April 12, 2018, it was determined that no goals would be set because of no opportunity to segment the contract.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Procurement

**MBE/WBE PARTICIPATION:**

Manufacturer's proprietary parts and diagnostic analysis equipment are required for repairs and must be provided by manufacturer's authorized and certified mechanics. Segmentation is not feasible on this contract.

**MWBOO GRANTED A WAIVER.**

- |  |              |                      |
|--|--------------|----------------------|
| 10. ATLANTIC EMERGENCY SOLUTIONS   | \$694,274.00 | Cooperative Contract |
| Houston-Galveston Area Council Contract No. FS12-17-Pierce Enforcer Squad Suppression Unit - Department of General Services, Fleet Management - Req. No. R794735 |              |                      |

One enforcer squad suppression unit will be purchased from a competitively bid, cooperative inter-local contract agreement between the Baltimore Regional Cooperative Purchasing Committee and Houston-Galveston Area Council. This truck will replace older equipment in the City's fleet, as part of Fleet Management's planned replacement program. The contract expires on November 30, 2019.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practicable to obtain competitive bids. Therefore, pursuant to Article VI, Section 11(e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

**MBE/WBE PARTICIPATION:**

On May 15, 2017, it was determined that no goals would be set because of no opportunity to segment the contract. This is a commodity purchase from an authorized dealer who is required to provide associated pre-delivery inspection and warranty repairs.

**MWBOO GRANTED A WAIVER.**

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

Bureau of Procurement

11. BOUND TREE MEDICAL LLC MOORE MEDICAL, LLC MIDWEST MEDICAL SUPPLY CO., LLC	\$300,000.00	Extension
Contract No. B50002139 - Emergency Medical Supplies - Fire Department - P.O. Nos. P518749, P518750 and P518751		

On November 23, 2011, the Board approved the initial award in the amount of \$550,000.00. The award contained five renewal options. Subsequent actions have been approved and all renewals have been exercised. An extension is necessary to allow more time for the bids (B50005166) items to be reviewed, evaluated and recommended for an award. The period of the extension is June 1, 2018 through September 30, 2018. The above amount is the City's estimated requirement.

**MBE/WBE PARTICIPATION:**

On February 24, 2011, MWBOO determined that no goals would be set because of no opportunity to segment the contract. MBEs and WBEs have been identified for the upcoming solicitation.

**MWBOO GRANTED A WAIVER.**

12. GREAT WEST LIFE AND ANNUITY INSURANCE COMPANY	\$180,000.00	Extension and Second Amendment to First Restated and Amended Agreement
Contract No. B50001019 - Deferred Compensation Plan Services - Employees' Retirement System - P.O. No. P509184		

The Board is requested to approve and authorize execution of the Second Amendment to First Restated and Amended Agreement with Great West Life and Annuity Insurance Company. The extension is for the period January 1, 2018 through June 30, 2018, with no renewal options.







## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
---------------	------------------------	--------------------

<u>Bureau of Procurement</u>		
------------------------------	--	--

UPON MOTION duly made and seconded, the Board approved the Informal Awards, Renewals, Increases to Contracts, and Extensions. The Board further approved and authorized execution of the Extension and Second Amendment to First Restated and Amended Agreement with Great West Life and Annuity Insurance Company (item no. 12). The Board further approved and authorized execution of the Engagement Software and Support Agreement with Wolters Kluwer United States, Inc. (item no. 13). The Comptroller **ABSTAINED** on item no. 12.

**MINUTES**

Office of the Mayor - FY'18 Second and Third Quarter Reports for the South Baltimore Gateway Partnership

**ACTION REQUESTED OF THE B/E:**

The Board is requested to **NOTE** receipt of the Second and Third Quarter Reports for activity in FY'18 submitted by the South Baltimore Gateway Community Impact District Management Authority a/k/a the South Baltimore Gateway Partnership.

**AMOUNT OF MONEY AND SOURCE:**

No expenditure of funds is requested.

**BACKGROUND/EXPLANATION:**

Following a feasibility study led by the Mayor's Office and the Baltimore Casino Local Development Council (LDC), the Maryland General Assembly and the Mayor and City Council passed legislation in 2016 creating the South Baltimore Gateway Community Impact District Management Authority (the Authority), later rebranded as the South Baltimore Gateway Partnership (SBGP). Baltimore City Council Bill 16-0694 was the Enabling Ordinance that established the SBGP.

Consistent with State Law, City Council Bill 16-0694 requires that the SBGP receive "no less than 50%" of Casino Local Impact Grant (LIG) funds starting in FY'18. The purpose of these funds is to provide enhanced services and community development activities benefitting the specified neighborhoods of the South Baltimore Gateway, consistent with the South Baltimore Gateway Master Plan. City Council Bill 16-0694 also requires that the Board of Estimates review and approve the SBGP's Bylaws, Strategic Plan and Annual Financial Plan.

In developing procedures for the City to transfer FY'18 LIG funds intended for the Authority, the Director of Finance requested that the SBGP submit quarterly updates detailing progress on the Annual Financial Plan to the Board of Estimates.

**MINUTES**

Office of the Mayor - cont'd

**MBE/WBE PARTICIPATION:**

No contracting for goods or services is contemplated at this time. It should be NOTED that under the Enabling Ordinance establishing the Authority, the SBG is subject to the City's MBE/WBE policy.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the Second and Third Quarter Reports for activity in FY'18 submitted by the South Baltimore Gateway Community Impact District Management Authority a/k/a the South Baltimore Gateway Partnership.

**MINUTES**

Office of the Mayor - FY'19 Annual Financial Plan (Budget) of the South Baltimore Gateway Partnership

**ACTION REQUESTED OF THE B/E:**

The Board is requested to review and approve the FY'19 Annual Financial Plan (Budget) of the South Baltimore Gateway Community Impact District Management Authority, a/k/a the South Baltimore Gateway Partnership.

**AMOUNT OF MONEY AND SOURCE:**

No expenditure of funds is requested.

**BACKGROUND/EXPLANATION:**

Following a study led by the Mayor's Office and the Baltimore Casino Local Development Council (LDC), the Maryland General Assembly and the Mayor and City Council passed legislation in 2016 creating the South Baltimore Gateway Community Impact District (CID) and Management Authority, (Authority), later branded as the South Baltimore Gateway Partnership (SBGP). Baltimore City Council Bill 16-0694 requires Board of Estimates review of the Authority's Bylaws, Strategic Plan and Annual Financial Plan.

State law required the Authority to begin receiving 50% of Casino Local Impact Grant (LIG) funds starting in FY'18. The purpose is to provide enhanced services and community development activities in the CID (a map has been submitted), consistent with Maryland's law that established the LIG funds. The City also appropriated over \$500,000.00 in Fiscal Year 16-17 LIG funds to be used by the Authority.

Starting in the fall of 2016, the Mayor's Office launched the SBGP's Board of Directors to begin establishing the Authority. The Authority is now in its second year of operations, fulfilling the goals of the FY'18 Financial Plan. The actions include adopting Bylaws and a Strategic Plan, electing Officers, forming committees, hiring staff, creating budgets for FY'17, FY'18 and FY'19, and developing programs. These include grants to community-based organizations and other activities highlighted in the memo submitted.

## MINUTES

Office of the Mayor - cont'd

The Board of Directors adopted the FY'19 Budget at a meeting on March 28, 2018, after a public hearing on March 21, 2018.

**MBE/WBE PARTICIPATION:**

No contracting for goods or services is contemplated at this time. It should be NOTED that under the Enabling Ordinance establishing the Authority, the SBG is subject to the City's MBE/WBE policy.

**APPROVED FOR FUNDS BY FINANCE****South Baltimore Gateway Partnership Proposed FY 2019 Budget for BOE Approval 3/28/18**

	Proposed	Comment
<b>REVENUES</b>		
	\$ -	Conservative Estimate
Carry Forward		
40000 - LIG Funding		
40000 LIG Funding:40100 - City Pass Through	\$ 6,000,000	Conservative Estimate. Not Racing Commission Projection.
40000 LIG Funding:40200 - Direct Pmts from State	\$ -	If legislative change, pass through funds become direct payments.
<b>TOTAL REVENUES</b>	<b>\$ 6,000,000</b>	
<b>EXPENSES</b>		
PROGRAM EXPENSES	\$ 900,629	Approx 20% of Program Budget
50000 - Community Grant Expense	\$ 27,000	Includes consultant to support grantees with capacity building
50000 - Community Grant Expense:50100 - Indirect Program Costs		
51000 - Enhanced Services		
51000 - Enhanced Services:51100. Program Costs	\$ 1,386,443	Approx 30% of Program Budget
51000 - Enhanced Services:51400 Indirect Program Costs	\$ 5,000	Catering, printing. Other costs (eg. Architectural fees) will be direct program costs.
52000 - Transformational Projects	\$ 2,314,072	Approx 50% of Program Budget
52000 - Transformational Projects:52100. Indirect Program Costs	\$ 5,000	Catering, printing. Other costs (eg. Architectural fees) will be direct program costs.
<b>TOTAL PROGRAM EXPENSES</b>	<b>\$ 4,638,144</b>	<b>81.37% of Revenues, Excluding Funding Reserve and Third Party Revenues</b> <b>GOAL: Keep Program Costs More Than 80% of Budget</b>
<b>OPERATING EXPENSES</b>		
60000 - Professional Fees	\$ 166,000	Accountant, Legal, Consulting
62800 - Facilities and Equipment	\$ 20,985	Rent, Equipment
63000 - Professional Development	\$ 10,000	\$1,250 per employee
65000 - Operations	\$ 39,850	Printing, Supplies, Fiscal Agent Fees, Telephone, Meals
65000 - Operations:65091 - Marketing & Communication	\$ 30,000	Marketing and Communications
65100 - Other Types of Expenses		
65100 - Other Types of Expenses:65120 Insurance	\$ 25,000	Based on estimate from current agent
65100 - Other Types of Expenses:65160. Other Costs	\$ 1,000	Miscellaneous~
66000 - Payroll Expenses	\$ 767,250	Assumes gradual expansion to 8 staff people
68300 - Travel and Meetings	\$ 1,500	Board meetings, public meetings
<b>TOTAL OPERATING EXPENSES</b>	<b>\$ 1,061,585</b>	<b>18.63% of Revenues, Excluding Funding Reserve and Third Party Revenues</b> <b>But only 15.85% of Revenues Including Ripken Partnership.</b>
<b>TOTAL EXPENSES</b>	<b>\$ 5,700,000</b>	
<b>FUNDING RESERVE SET ASIDE</b>	<b>\$ 300,000</b>	<b>5% of Revenues Held for Rainy Day Fund to Protect Future Programs</b>

**MINUTES**

Office of the Mayor - cont'd

UPON MOTION duly made and seconded, the Board reviewed and approved the FY'19 Annual Financial Plan of the South Baltimore Gateway Community Impact District Management Authority, a/k/a the South Baltimore Gateway Partnership.



**MINUTES**

Department of General Services - On-Call Consultant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement for Project No. 1801, On-Call Architectural Design Services with PRIME AE Group, Inc. The period of the Agreement is effective upon Board approval for four years.

**AMOUNT OF MONEY AND SOURCE:**

\$2,000,000.00 - upset limit

Funds will be identified as tasks are processed.

**BACKGROUND/EXPLANATION:**

Various City agencies on a continuing basis, require architectural design services to modify, upgrade, or repair their facilities. Typically, the work involved is limited in scope and/or of an urgent nature, which in either case should not be postponed until the customary architectural design selection process can be executed. Under this agreement, the call for these services will be made as needs are identified. The cost of services rendered will be negotiated as a not-to exceed price for each task assigned. Fees will be based on actual payroll rates, not including overhead and burden times a set multiplier. The payroll rate and the multiplier have been reviewed by the Department of Audits. The initial contract duration will be four years; however, a task started within the initial four-year period may continue beyond the four-year time frame until completion. The total fee for this Consultant Agreement will not exceed \$2,000,000.00 without a formal amendment.

**MINUTES**

Department of General Services - cont'd

The Consultant was selected pursuant to the Architect and Engineering Awards Commission (AEAC) procedures.

**MBE/WBE PARTICIPATION:**

<b>MBE:</b> Columbia Engineering, Inc.	\$0-360,000.00	0-18%
Min Engineering, Inc.	0-360,000.00	0-18%
PRIME AE Group, Inc.*	0-180,000.00	0- 9%
<b>Total</b>	<b>\$0-360,000.00</b>	<b>0-18%</b>
	(in the aggregate)	

<b>WBE:</b> Aria Environmental, Inc.	\$0-200,000.00	0-10%
Floura Teeter Lands, Arch.	0-200,000.00	0-10%
MK Consulting Engineers, LLC	0-200,000.00	0-10%
Support Group, LLC		
<b>Total</b>	<b>\$0-200,000.00</b>	<b>0-10%</b>
	(in the aggregate)	

\*Indicates work that will be self-performed.

**MWBOO FOUND VENDOR IN COMPLIANCE.****AUDITS NOTED THE ON-CALL AGREEMENT AND WILL REVIEW TASK ASSIGNMENTS.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement for Project No. 1801, On-Call Architectural Design Services with PRIME AE Group, Inc.

**MINUTES**

Department of General Services - Partial Release of Retainage

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Partial Release of Retainage Agreement with Denver-Elek, Inc., GS 14804 - AWMB HVAC Replacement - 1<sup>st</sup> Floor.

**AMOUNT OF MONEY AND SOURCE:**

\$13,490.84 - 9916-906817-9197-0000000-200001

**BACKGROUND/EXPLANATION:**

As of June 01, 2017, Denver-Elek, Inc. has completed 100% of all work for GS14804- AWMB HVAC Replacement - 1<sup>st</sup> Floor. The City agreed to a Release of Retainage in the amount of \$13,490.84 to Denver-Elek, Inc.

Currently, the City is holding \$14,490.84 in retainage for the referenced project, and wishes to reduce the amount of the retainage to \$1,000.00 and has determined that its interests are fully protected by this reduction.

**APPROVED FOR FUNDS BY FINANCE****AUDITS REVIEWED AND FOUND NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Partial Release of Retainage Agreement with Denver-Elek, Inc., GS 14804 - AWMB HVAC Replacement - 1<sup>st</sup> Floor.

**MINUTES**

Department of General Services - Memorandum of Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Memorandum of Agreement (MOA) with the Downtown Partnership of Baltimore, Inc. The period of the MOA is May 23, 2018 through May 22, 2019, with two one-year renewal options.

**AMOUNT OF MONEY AND SOURCE:**

N/A - Revenue Generating Contract

**BACKGROUND/EXPLANATION:**

Pursuant to the MOA, the Downtown Partnership of Baltimore, Inc. has requested maintenance and repair services for its fleet of vehicles and equipment from the Department of General Services, Fleet Management Division. The Downtown Partnership of Baltimore has agreed to compensate the City for the requested services as outlined in the submitted MOA.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Agreement with the Downtown Partnership of Baltimore, Inc.

## MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2017 through June 30, 2018, unless otherwise indicated.

1. **JOHNS HOPKINS UNIVERSITY/SCHOOL OF MEDICINE (JHU)** **\$115,377.00**

Account: 4000-424518-3023-273312-603051

Under this agreement, the JHU will provide Psychosocial Support services to assist eligible people living with HIV to address behavioral and physical health concerns.

**MWBOO GRANTED A WAIVER.**

2. **PROJECT PLASE, INC.** **\$ 15,200.00**

Account: 5000-569718-3023-273338-603051

Project PLASE, Inc. will provide food items and/or gift cards that may be used to purchase food. The organization will also provide food services to homeless clients who are Ryan White eligible. This may include direct provision of hot meals to homebound and medically fragile HIV clients.

3. **SISTERS TOGETHER AND REACHING, INC. (STAR)** **\$ 6,220.00**

Account: 5000-569718-3023-273345-603051

STAR will provide medical transportation services that enable an eligible client to access or be retained in core medical or support services. Medical transportation may be provided through: use of company vehicle to provide transportation services, contracts with providers of transportation services and the purchase and distribution of MTA tokens or monthly bus passes to clients, as needed.

## MINUTES

Health Department - cont'd

4. **JOHNS HOPKINS UNIVERSITY (JHU)** **\$198,153.00**

Account: 4000-424518-3023-273308-603051

Under this agreement, the JHU will provide a range of client centered medical and non-medical case management activities focused on providing guidance and assistance in accessing medical, social community, legal, financial, public and private programs and other needed services. Focusing on improving healthcare outcomes in support of the HIV care continuum.

The agreements are late because the Department of Health and Mental Hygiene's Prevention and Health Promotion Administration programmatically manages State Special services. The providers are asked to submit a budget, budget narrative, and scope of services. The Health Department thoroughly reviews the entire package before preparing a contract and submitting it to the Board of Estimates. These budgets are often times revised because of inadequate information from the providers. This review process is required to comply with the grant requirements.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

5. **JOHNS HOPKINS UNIVERSITY/BLOOMBERG** **\$ 0.00**  
**SCHOOL OF PUBLIC HEALTH (JHU)**

Under this Affiliation Agreement, the JHU has established and conducts residency-training programs accredited by the Accreditation Council for Graduate Medical Education (ACGME). The Department as a participating institution will support educational goals and objectives of the residency-training program by making its facilities, resources and teaching staff available to program residents. The organization's Program Director and the Commissioner of Health will determine training of program residents.

**APPROVED FOR FUNDS BY FINANCE**

**MINUTES**

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements. The President **ABSTAINED** on item nos. 1, 4, and 5.

**MINUTES**

Health Department - Ratification of the Third  
No-Cost Time Extension

**ACTION REQUESTED OF B/E:**

The Board is requested to ratify the Third No-Cost Time Extension with the Robert Wood Johnson Foundation. The period of the Third No-Cost Time Extension was through May 15, 2018.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On January 13, 2016, the Board approved the original agreement in the amount of \$200,000.00 for the period of January 15, 2016 through January 14, 2017.

On November 23, 2016, the Board approved the first extension through July 14, 2017.

On August 9, 2017, the Board approved the second extension through November 15, 2017.

This Third No-Cost Time Extension extended the period through May 15, 2018, which allowed the Department time to complete its deliverables and reports.

The Third No-Cost Time Extension was approved on March 19, 2018, but was delayed due to the administrative review process.

**APPROVED FOR FUNDS BY FINANCE****AUDITS APPROVED THE NO-COST TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board ratified the Third No-Cost Time Extension with the Robert Wood Johnson Foundation.



**MINUTES**

Health Department - Notification of Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of the Notification of Grant Award (NGA). The period of the NGA is July 1, 2017 through June 30, 2018.

**AMOUNT OF MONEY AND SOURCE:**

\$250,000.00 - 5000-505418-3070-268400-405001

**BACKGROUND/EXPLANATION:**

The Maryland Institute for Emergency Medical Services Systems has granted permission to local Emergency Medical Service (EMS) agencies to create the Naloxone Leave-Behind Program, in which the EMS providers distribute naloxone kits to family members, friends, and others at the scene of an overdose.

The Behavioral Health Administration has made funding available to local jurisdictions that are interested in piloting the program. The funding will purchase naloxone (3,333 kits) to be used by the Fire Department for the City's Leave-Behind Program.

The grant award is late because of a delay in the administrative review process.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved acceptance of the Notification of Grant Award.

**MINUTES**

Baltimore Development Corporation - Office Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Office Lease Agreement with A Place to Call Home, Inc., Tenant for the premises containing 1,272 total rentable square feet, located at 2901 Druid Park Drive Premises. The period of the Lease Agreement is May 1, 2018 through April 30, 2021, with the option to renew for one additional three-year term.

**AMOUNT OF MONEY AND SOURCE:**

\$19,716.00 - Base rent for the first year

**BACKGROUND/EXPLANATION:**

The base rent is payable to the City for the first year and a 4% increase for each of the remaining two years of the term. Upon execution of the renewal option, the increase during the renewal will be equal to four percent from the prior lease year.

A Place to Call Home, Inc. will use the premises for an administrative office and for no other purpose and has one three-year renewal option that it may exercise.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Office Lease Agreement with A Place to Call Home, Inc., Tenant for the premises containing 1,272 total rentable square feet, located at 2901 Druid Park Drive.

**MINUTES**

Baltimore Development Corporation - Office Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Office Lease Agreement with Dynamic Nursing Care Services, Inc., Tenant for the premises containing 143 total rentable square feet, located at 2901 Druid Park Drive, Premises. The period of the Office Lease Agreement is May 1, 2018 through April 30, 2019, with the option to renew for one additional one-year term.

**AMOUNT OF MONEY AND SOURCE:**

\$2,580.00 - Base rent for the first year

**BACKGROUND/EXPLANATION:**

Upon execution of the one year renewal option, the base rent will increase by an amount equal to four percent from the prior lease year.

The Dynamic Nursing Care Services, Inc. will use the premises for an administrative office and for no other purpose with a one-year renewal option that may be exercised by the tenant.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Office Lease Agreement with Dynamic Nursing Care Services, Inc., Tenant for the premises containing 143 total rentable square feet, located at 2901 Druid Park Drive.

**MINUTES**

Baltimore Development Corporation - Termination of Memorandum  
of Agreement \_\_\_\_\_

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Termination of the Memorandum of Agreement (MOA) with the Maryland Historical Trust (MHT). The Termination of the MOA is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On January 31, 2001, the City and the MHT entered into a Memorandum of Agreement intended to minimize the demolition of structures which contribute to the Market Center National Register Historic District. The intent and requirements of the MOA having been fulfilled since that time, the MHT and the Baltimore City Commission of Historical and Architectural Perseveration have agreed to terminate the MOA and return review over the preservation of the properties to the City.

On March 27, 2018, the City enacted Ordinance Nos. 18-117 and 18-118, which created two new local historic districts (the Five and Dime Historic District and the Howard Street Commercial Historic District) within the area subject to the MOA. Pursuant to the Ordinances, CHAP is authorized to review and approve, deny or modify requests to alter historic buildings within these two historic districts.

Having reviewed the Ordinances and being familiar with the operation of CHAP, the MHT is satisfied that the historic preservation intent and objectives of the MOA will be effectively fulfilled and implemented by the Ordinances. As such, the MOA is no longer needed to serve its original purpose.

**MINUTES**

Baltimore Development Corporation - cont'd

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Termination of the Memorandum of Agreement with the Maryland Historical Trust.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

\* \* \* \* \*

On the recommendations of the City agencies  
hereinafter named, the Board,

UPON MOTION duly made and seconded,  
awarded the formally advertised contracts  
listed on the following pages:

2153 - 2167

to the low bidders meeting the specifications,  
or rejected bids on those as indicated  
for the reasons stated.

The Transfer of Funds was approved  
SUBJECT to receipt of a favorable report  
from the Planning Commission,  
the Director of Finance having reported favorably  
thereon, as required by the provisions  
of the City Charter.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works/Office  
of Engineering and Construction

1. SC 964, Improve- Spiniello Companies \$17,433,000.00  
ments to the  
Sanitary Sewers  
in the Northwest  
Area of Baltimore  
City

**MWBOO SET GOALS OF 14% FOR MBE AND 3% FOR WBE.**

<b>MBE:</b> Machado Construction Company, Inc.	\$2,440,620.00	14.00%
<b>WBE:</b> R&R Contracting Utilities, Inc.	\$ 226,365.55	1.29%
TFE Resources, Ltd.	114,228.45	0.65%
Empire Landscape, LLC	182,396.00	1.04%
	<u>\$ 522,990.00</u>	<u>2.98%</u>

**MWBOO FOUND VENDOR IN COMPLIANCE.**

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$18,827,640.00</b>	9956-903569-9549	9956-901577-9551-6
Wastewater Revenue Bonds	Improvements to the Sanitary Sewers in the North West	Construction

This transfer will cover costs of SC 964, Improvements to the Sanitary Sewers in North West Area of Baltimore City.

**A PROTEST AND SUPPLEMENTAL PROTEST WERE RECEIVED FROM HUDDLES JONES SORTEBERG & DACHILLE REPRESENTING SAK CONSTRUCTION, LLC.**

Roger C. Jones (MD, DC, VA)  
Kenneth K. Sorteberg (MD, DC)  
Mark S. Dachille (MD)  
Nicole L. Campbell (MD, DC)  
Lucas F. Webster (MD, DC, VA)

◆  
Joseph L. Katz (MD)  
Kevin B. Mattingly (MD, DC)

 **HUDDLES JONES  
SORTEBERG & DACHILLE**  
A PROFESSIONAL CORPORATION

◆ William M. Huddles (1945-2010) ◆

[sorteberg@constructionlaw.com](mailto:sorteberg@constructionlaw.com)

May 29, 2018

**SENT VIA HAND DELIVERY  
and EMAIL**

[Harriette.taylor@baltimorecity.gov](mailto:Harriette.taylor@baltimorecity.gov)  
[Audrey.quarles@baltimorecity.gov](mailto:Audrey.quarles@baltimorecity.gov)

Board of Estimates  
c/o Clerk to the Board  
Room 204, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

**Re: Request to Speak Before the Board of Estimates  
At the May 30, 2018 Meeting  
Concerning the Bid Protest of SAK Construction, LLC**

**Contract: SC No. 964 - Improvements to the Sanitary Sewers  
In the North West Area of Baltimore City**

Dear Board Members and Clerk:

My name is Kenneth Sorteberg, Esquire and I represent SAK Construction, LLC. The purpose of this letter is to notify you that I wish to speak before the Board at the meeting on Wednesday, May 30, 2018 regarding the Bid Protest of SAK Construction, LLC on Contract SC No. 964 – Improvements to the Sanitary Sewers in the North West Area of Baltimore City. I have been authorized by SAK Construction, LLC to speak on its behalf regarding this protest. In addition, Mr. Jack Boatman, a construction executive with SAK, will be making a brief introductory statement prior to my bid protest presentation.

In a nutshell, the issues and facts supporting our position are as follows. SAK was one of six bidders who submitted bids for the above referenced solicitation. Bids for this contract were opened and read on January 10, 2018. Spiniello submitted the lowest bid; Metra Industries submitted the second lowest bid; and SAK submitted the third lowest bid. However, as explained in more detail in SAK's March 2, 2018 bid protest letter (attached), the bids of both Spiniello and Metra are mathematically and materially unbalanced.



Baltimore City Specifications ("Green Book) provides in pertinent part as follows:

**00 21 13.11 IRREGULAR BIDS**

Bids may be rejected if they show ... irregularities of any kind. The City reserves the right to reject any ... unbalanced ... proposals unless expressly required or authorized in the Bid documents.

**00 51 00.05 UNRESPONSIVE AND UNBALANCED BIDS**

To better ensure fair competition and to permit a determination of the lowest Bid, ... unbalanced ... Bids may be rejected by the Board of Estimates at its sole discretion.

Accordingly, Baltimore City should reject the bids of Spiniello and Metra on the ground that they are unbalanced, and Baltimore City should award this contract to SAK as the lowest responsive and responsible bidder. SAK will be harmed if the Board awards this contract to either Spiniello or Metra, because SAK will be deprived of the award of this construction contract.

Sincerely,



Kenneth K. Sorteberg  
Huddles Jones Sorteberg & Dachille, PC  
Attorneys on behalf of SAK Construction, LLC

KKS:cmr  
Enclosure  
cc: SAK Construction, LLC

COMPT./BOARD OF EST.  
MAR2'18AM9:41

Roger C. Jones (MD, DC, VA)  
Kenneth K. Sorteberg (MD, DC)  
Mark S. Dachille (MD)  
Nicole L. Campbell (MD, DC)  
Lucas F. Webster (MD, DC, VA)

 **HUDDLES JONES  
SORTEBERG & DACHILLE**  
A PROFESSIONAL CORPORATION

◆  
Joseph L. Katz (MD)  
Kevin B. Mattingly (MD, DC)

◆ William M. Huddles (1945-2010) ◆

March 2, 2018

**Via Hand Delivery**

[sorteberg@constructionlaw.com](mailto:sorteberg@constructionlaw.com)

Board of Estimates  
c/o Clerk to the Board  
Room 204, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

**Re: Bid Protest of SAK Construction, LLC**  
**Contract: SC No. 964 - Improvements to the Sanitary Sewers**  
**In the North West Area of Baltimore City**

Dear Board Members and Clerk:

This law firm represents SAK Construction, LLC ("SAK"). Please consider this letter to be SAK's written bid protest of the award of contract SC No. 964 to anyone other than SAK.

SAK was one of six bidders who submitted bids for the above referenced solicitation. Bids for this contract were opened and read on January 10, 2018. Spiniello submitted the lowest bid; Metra Industries submitted the second lowest bid; and SAK submitted the third lowest bid. (See **Exhibit A.**) However, as explained below, the bids of both Spiniello and Metra are mathematically and materially unbalanced.

Baltimore City Specifications ("Green Book) provides in pertinent part as follows:

**00 21 13.11 IRREGULAR BIDS**

Bids may be rejected if they show ... irregularities of any kind. The City reserves the right to reject any ... unbalanced ... proposals unless expressly required or authorized in the Bid documents.

**00 51 00.05 UNRESPONSIVE AND UNBALANCED BIDS**

---

To better ensure fair competition and to permit a determination of the lowest Bid, ... unbalanced ... Bids may be rejected by the Board of Estimates at its sole discretion.

Accordingly, Baltimore City should reject the bids of Spiniello and Metra on the grounds that they are irregular and unbalanced, and Baltimore City should award this contract to SAK as the lowest responsive and responsible bidder. For its protest, SAK states as follows.

This contract is based on unit prices. The contract includes five items of work where payment is guaranteed for lump sum amounts: Mobilization, Engineer Office, Maintenance of Traffic, Clearing and Grubbing, and Erosion and Sediment Control (the "Guaranteed Items"). The bid form breaks the remaining unit price items down into two categories. The contract provides for many Non-Contingent Items. However, because of unknowns, the contract also includes many Contingent Items. Bidders were required to submit values for all unit price items, including Guaranteed Items, Non-Contingent Items and Contingent Items.

SAK's bid is fair and balanced, assigning market prices to Guaranteed Items, Non-Contingent Items and Contingent Items. However, as explained below, the bids of Spiniello and Metra are irregular and unbalanced.

## **I. SPINIELLO'S BID SHOULD BE REJECTED BECAUSE IT IS IRREGULAR AND UNBALANCED**

### **A. Spiniello's Bid Is "Front End Loaded"**

SAK's price for Bid Item 101 Mobilization is \$525,000.00. However, Spiniello's price for this same bid item is \$1,000,000.00, i.e. almost half a million dollars higher than SAK's price. Mobilization is the very first thing for which a contractor will invoice the City. Spiniello has "front end loaded" its bid by placing such an unreasonably high price on this early payment item.

Under Maryland law, a bid that is front end loaded may be rejected. See, *Appeal of Blastech Enterprises, Inc.*, MSBCA 2454 (2005):

Thus, if the bid is materially unbalanced such that the bid may not, in fact, be the low bid, or if there appears to be material front end loading which places unreasonably high costs on early payment items potentially leaving insufficient funds if the contractor should default or fail to perform later in the job, then the State may reject the bid on the grounds the bidder is not responsible.

(Emphasis supplied.) Accordingly, the bid of Spiniello should be rejected.

### **B. Spiniello's Bid is Mathematically and Materially Unbalanced**

Baltimore City's specifications, insofar as they prohibit the submission of materially unbalanced bids, are consistent with general government contracting. Many federal, state, and local government entities have rejected unbalanced bids for fear that the unbalanced bids could result in additional cost to the government. "Unbalanced pricing exists where, as here, the price of one or more contract line items is significantly overstated, despite a relatively low total evaluated price." *In re Industrial Builders, Inc.*, B-283749 (Comp. Gen.), 99-2 CPD P 114, 1999 WL 1267047 (Dec. 29, 1999) (rejecting protest and affirming rejection of bid when significant cost of cofferdam work was improperly included in lump sum clearing, grubbing, and snagging of debris item). "Offers with separately priced line items must be analyzed to determine if the prices are unbalanced by, for example, comparing offered prices with prices in other bids or with an independent government estimate." *Id.*

As stated in *In re Pearl Properties*, B-246392 (Comp. Gen.), B-247006, B-246707, B-246618, B-246082, 92-1 CPD P 104, 1992 WL 18504, \*2 (Nov. 17 1992):

An examination of bid unbalancing has two aspects. First, the bid must be evaluated mathematically to determine whether each item carries its share of the cost of the work specified for that item as well as overhead and profit. If the bid is based on nominal prices for some of the work and enhanced prices for other work, it is mathematically unbalanced. Second, the agency must determine whether award to a bidder that has submitted a mathematically unbalanced bid will result in the lowest overall cost to the government. If award to a party that submits a mathematically unbalanced bid may not result in the lowest overall cost to the government, the bid is materially unbalanced and cannot be accepted.

See also, *Appeal of Pile Foundation Construction, Inc.*, MSBCA 2224 (2001). The *Pile Foundation* case further provides as follows:

A mathematically unbalanced bid is one in which the bid contains understated and overstated unit prices.

\* \* \*

... the bid is materially unbalanced if there is a reasonable doubt that award to [the contractor] would not result in the lowest ultimate cost to [the government].

Here, Spiniello's bid contains both drastically overstated pricing and drastically understated pricing, creating a reasonable doubt that Spiniello's bid will result in the lowest ultimate cost to the City. As such, the City should reject Spiniello's bid as mathematically and materially unbalanced.

The overstated pricing is for certain Guaranteed Items and Non-Contingent Items. It is important to note the high likelihood that these work items will actually be performed. Spiniello has overstated its pricing for these items by over \$1.5 million!

The understated pricing is for Contingent Items. It is important to note the low likelihood that these work items will actually be performed. Spiniello has understated its pricing for these items by over \$1.6 million!

Below are Guaranteed Items and Non-Contingent Items for which Spiniello has drastically overstated its pricing. SAK's market value pricing for these Guaranteed Items and Non-Contingent Items totals only just over \$1 million, while Spiniello's overstated pricing totals just over \$2.5 million.

Item	Description	Qty	Unit	Spiniello		SAK	
				Unit Price	Ext. Price	Unit Price	Ext. Price
				\$ 2,540,550.00			\$ 1,014,937.00
101	MOB	1	LS	\$ 1,000,000.00	\$ 1,000,000.00	\$ 525,000.00	\$ 525,000.00
103	Maintenance of Traffic	1	LS	\$ 749,400.00	\$ 749,400.00	\$ 285,000.00	\$ 285,000.00
816	Reinstatement Sewer House Connection	3925	EA	\$ 150.00	\$ 588,750.00	\$ 25.00	\$ 98,125.00
898	External Manhole Frame Seal	92	EA	\$ 2,200.00	\$ 202,400.00	\$ 1,161.00	\$ 106,812.00
Total				\$ 2,540,550.00		Total	\$ 1,014,937.00

Below are the Contingent Items for which Spiniello has drastically understated its pricing. Spiniello has included many unit prices as low as one dollar, while the true unit prices of these items range from 13 times higher to 715 times higher. SAK's market value pricing for these Contingent Items totals well over \$1.6 million, while Spiniello's understated pricing totals only \$66,050.00. In other words, Spiniello is gambling over \$1.6 million that this Contingent Item work will never come to fruition.

			\$ 66,050.00		\$ 1,683,249.00	
			Spiniello		SAK	
Item	Description	Qty Unit	Unit Price	Total Price	Unit Price	Total Price
207	Contingent Sheet and Shoring Left In Place	4 PER	\$ 100.00	\$ 400.00	\$ 4,975.00	\$ 19,900.00
504	Contingent 6 Inch Sub Base Using Crusher Run	8500 SY	\$ 1.00	\$ 8,500.00	\$ 16.50	\$ 140,250.00
506	Contingent Hot Mix Asphalt Superpave 12.5mm	900 TN	\$ 1.00	\$ 900.00	\$ 248.00	\$ 223,200.00
508	Contingent Hot Mix Asphalt Superpave 19.0mm	1650 TN	\$ 1.00	\$ 1,650.00	\$ 221.00	\$ 364,650.00
512	Contingent Patching Existing Rigid Pavement Using Reinforce	800 CY	\$ 1.00	\$ 800.00	\$ 715.00	\$ 572,000.00
602	Contingent Curb and Gutter	2000 LF	\$ 1.00	\$ 2,000.00	\$ 44.50	\$ 89,000.00
605	Contingent 5-Inch Concrete Sidewalk	8000 SF	\$ 1.00	\$ 8,000.00	\$ 13.25	\$ 106,000.00
606	Contingent 5-Inch Concrete Sidewalk with Brick or Other Surf	800 SF	\$ 1.00	\$ 800.00	\$ 60.00	\$ 48,000.00
883	Contingent Type A or B Sanitary Drop Connection	4 EA	\$ 1,500.00	\$ 6,000.00	\$ 4,199.00	\$ 16,796.00
891	Contingent Replace Manhole Frame and Cover with Lockable	8 EA	\$ 1,000.00	\$ 8,000.00	\$ 2,431.00	\$ 19,448.00
893	Contingent Reset Manhole Frame and Cover	15 EA	\$ 700.00	\$ 10,500.00	\$ 1,824.00	\$ 27,360.00
895	Contingent Provide and Install Manhole Adjustment Rings	10 EA	\$ 500.00	\$ 5,000.00	\$ 1,934.00	\$ 19,340.00
923	Contingent Furnishing and Installing of Small (5/8"-2") and/or	15 EA	\$ 900.00	\$ 13,500.00	\$ 2,487.00	\$ 37,305.00
Total			\$ 66,050.00		Total	\$ 1,683,249.00

In all likelihood, the Guaranteed Item work and the Non-Contingent Item work will actually be performed, while the Contingent Item work may not. If the Contingent Items are not performed, Spiniello's bid would not yield the lowest cost to the City. Under that scenario, as set forth on Exhibit B, SAK's cost to the City would be \$189,259.25 lower than Spiniello's cost to the City.

In light of the foregoing, Spiniello's bid is both mathematically and materially unbalanced. Accordingly, Spiniello's bid should be rejected.

## II. METRA'S BID MUST BE REJECTED BECAUSE IT IS IRREGULAR AND UNBALANCED

### A. Metra's Bid Is "Front End Loaded"

SAK's price for Bid Item 101 Mobilization is \$525,000.00. However, Metra's price for this same bid item is \$1,000,000.00, i.e. almost half a million dollars higher than SAK's price. Mobilization is the very first thing for which a contractor will invoice the City. Metra has "front end loaded" its bid by placing such an unreasonably high price on this early payment item.

Under Maryland law, a bid that is front end loaded may be rejected. *See, Appeal of Blastech Enterprises, Inc.*, MSBCA 2454 (2005). Accordingly, the bid of Metra should be rejected.

### B. Metra's Bid is Mathematically and Materially Unbalanced

Baltimore City's specifications, insofar as they prohibit the submission of materially unbalanced bids, are consistent with general government contracting. Many federal, state, and local government entities have rejected unbalanced bids for fear that the unbalanced bids could result in additional cost to the government. *See, In re Industrial Builders, Inc.*, B-283749 (Comp.

Gen.), 99-2 CPD P 114, 1999 WL 1267047 (Dec. 29, 1999); *In re Pearl Properties*, B-246392 (Comp. Gen.), B-247006, B-246707, B-246618, B-246082, 92-1 CPD P 104, 1992 WL 18504, \*2 (Nov. 17 1992); *Appeal of Pile Foundation Construction, Inc.*, MSBCA 2224 (2001).

Here, Metra's bid contains both drastically overstated pricing and drastically understated pricing, creating a reasonable doubt that Metra's bid will result in the lowest ultimate cost to the City. As such, the City should reject Metra's bid as mathematically and materially unbalanced.

The overstated pricing is for certain Guaranteed Items and Non-Contingent Items. It is important to note the high likelihood that these work items will actually be performed. Metra has overstated its pricing for these items by over \$8.5 million!

The understated pricing is for Contingent Items. It is important to note the low likelihood that these work items will actually be performed. Metra has understated its pricing for these items by over \$10 million!

Below are Guaranteed Items and Non-Contingent Items for which Metra has drastically overstated its pricing. SAK's market value pricing for these Guaranteed Items and Non-Contingent Items totals only about \$2.6 million, while Metra's overstated pricing totals an incredible \$11.1 million. In a nutshell, Metra stands to gain a massive multi-million dollar profit at the City's expense if the Contingent Item work never comes to fruition.

Item	Description	Qty	Unit	Metra		SAK	
				Unit Price	Ext Price	Unit Price	Ext Price
				\$ 11,127,660.00			\$ 2,597,913.00
101	MOB	1	LS	\$ 1,000,000.00	\$ 1,000,000.00	\$ 525,000.00	\$ 525,000.00
103	Maintenance of Traffic	1	LS	\$ 2,500,000.00	\$ 2,500,000.00	\$ 285,000.00	\$ 285,000.00
116	Clearing and Grubbing	1	LS	\$ 800,000.00	\$ 800,000.00	\$ 100,000.00	\$ 100,000.00
807	10 Inch CIPP Sanitary Sewer	3750	LF	\$ 180.00	\$ 675,000.00	\$ 45.00	\$ 168,750.00
808	12 Inch CIPP Sanitary Sewer	2687	LF	\$ 230.00	\$ 618,010.00	\$ 50.00	\$ 134,350.00
809	16 Inch CIPP Sanitary Sewer	440	LF	\$ 1,100.00	\$ 484,000.00	\$ 55.00	\$ 24,200.00
814	27 Inch CIPP Sanitary Sewer	660	LF	\$ 500.00	\$ 330,000.00	\$ 135.00	\$ 89,100.00
817	Open Cut Repair 12LF of 8-12 Inch SS Less Than or equal 12FT	20	EA	\$ 30,000.00	\$ 600,000.00	\$ 7,181.00	\$ 143,620.00
818	Open Cut Repair 12LF of 8-12 Inch SS Greater Than 12FT	12	EA	\$ 40,000.00	\$ 480,000.00	\$ 7,955.00	\$ 95,460.00
819	Open Cut Repair 12LF of 8-12 Inch SS Less Than or equal 12FT A	10	LF	\$ 4,000.00	\$ 40,000.00	\$ 360.00	\$ 3,600.00
820	Open Cut Repair 12LF of 8-12 Inch SS Greater Than 12FT ADD	10	LF	\$ 6,000.00	\$ 60,000.00	\$ 470.00	\$ 4,700.00
833	Open Cut Repair 12LF of 27 Inch SS Greater Than 12FT	1	EA	\$ 200,000.00	\$ 200,000.00	\$ 11,836.00	\$ 11,836.00
841	15" PVC Sanitary Sewer Replacement	385	LF	\$ 2,500.00	\$ 962,500.00	\$ 657.00	\$ 252,945.00
844	Contingent Point Repair Using CIPP 8-10" Sanitary Sewer	10	EA	\$ 2,500.00	\$ 25,000.00	\$ 2,487.00	\$ 24,870.00
861	Grout (Set Up) For sewer House Connection	1077	EA	\$ 1,300.00	\$ 1,400,100.00	\$ 442.00	\$ 476,034.00
878	48" Diameter Precast Sanitary Doghouse Manhole for pipe up	20	VF	\$ 10,000.00	\$ 200,000.00	\$ 1,437.00	\$ 28,740.00
884	Install Internal Sanitary Drop Connection	17	EA	\$ 800.00	\$ 13,600.00	\$ 1,989.00	\$ 33,813.00
896	Replace Manhole Step	207	EA	\$ 350.00	\$ 72,450.00	\$ 83.00	\$ 17,181.00
897	Contingent Replace Manhole Steps	50	EA	\$ 350.00	\$ 17,500.00	\$ 83.00	\$ 4,150.00
900	Internal Manhole Frame Seal	198	EA	\$ 3,000.00	\$ 594,000.00	\$ 774.00	\$ 153,252.00
908	Repair and Coat Manhole Interior Resin	54	VF	\$ 750.00	\$ 40,500.00	\$ 288.00	\$ 15,552.00
909	Contingent Repair and Coat Manhole Interior Resin	20	VF	\$ 750.00	\$ 15,000.00	\$ 288.00	\$ 5,760.00
				Total	\$ 11,127,660.00	Total	\$ 2,597,913.00

Below are the Contingent Items for which Metra has drastically understated its pricing. Metra bid unit prices of one penny or one dollar, while the true unit prices of these items range from 440 times higher to 71,500 times higher. SAK's market value pricing for these Contingent Items totals over \$10 million, while Metra's understated pricing totals only \$7,091.43. In other words, Metra is gambling over \$10 million that this Contingent Item work will never come to fruition.

				\$ 7,091.43		\$ 10,200,664.00	
Item	Description	QTY	UNIT	Metra		SAK	
				Unit Price	Ext. Price	Unit Price	Ext. Price
304	Contingent Tree Protection Fence	4095	LF	\$ 0.01	\$ 40.95	\$ 4.40	\$ 18,018.00
308	Contingent Stabilized Construction	100	TN	\$ 1.00	\$ 100.00	\$ 93.00	\$ 9,300.00
310	Contingent Temporary Utility Access Road For Type 2	400	SY	\$ 1.00	\$ 400.00	\$ 60.00	\$ 24,000.00
311	Contingent Temporary Utility Access Road For Type 3	200	SY	\$ 1.00	\$ 200.00	\$ 127.00	\$ 25,400.00
501	Removal of Bituminous Paving Material 2-Inch Dept	7071	SY	\$ 0.01	\$ 70.71	\$ 16.50	\$ 116,671.50
502	Contingent Removal of Bituminous Paving Material	5000	SY	\$ 0.01	\$ 50.00	\$ 16.50	\$ 82,500.00
503	6 Inch Sub Base Using Crusher Run	13276	SY	\$ 0.01	\$ 132.76	\$ 16.50	\$ 219,054.00
504	Contingent 6 Inch Sub Base Using Crusher Run	8500	SY	\$ 0.01	\$ 85.00	\$ 16.50	\$ 140,250.00
505	Hot Mix Asphalt Superpave 12.5mm Level for Surface Course	1821	TN	\$ 0.01	\$ 18.21	\$ 248.00	\$ 451,608.00
506	Contingent Hot Mix Asphalt Superpave 12.5mm	900	TN	\$ 0.01	\$ 9.00	\$ 248.00	\$ 223,200.00
507	Hot Mix Asphalt Superpave 19.0mm Level 2 for Base Course	3348	TN	\$ 0.01	\$ 33.48	\$ 221.00	\$ 739,908.00
508	Contingent Hot Mix Asphalt Superpave 19.0mm	1650	TN	\$ 0.01	\$ 16.50	\$ 221.00	\$ 364,650.00
509	Patching Existing Pavement Using Mix No. 7 Concrete	656	CY	\$ 0.01	\$ 6.56	\$ 660.00	\$ 432,960.00
510	Contingent Patching Existing Pavement Using No.7 Concrete	350	CY	\$ 0.01	\$ 3.50	\$ 660.00	\$ 231,000.00
511	Patching Existing Rigid Pavement Using Reinforced Concrete	1054	CY	\$ 0.01	\$ 10.54	\$ 715.00	\$ 753,610.00
512	Contingent Patching Existing Rigid Pavement Using Reinforced Concrete	800	CY	\$ 0.01	\$ 8.00	\$ 715.00	\$ 572,000.00
514	Contingent Thermoplastic Pavement (Letters, Symbols, Arrows, etc.)	100	EA	\$ 1.00	\$ 100.00	\$ 110.00	\$ 11,000.00
515	Contingent Bus Stopping Pad	320	SY	\$ 1.00	\$ 320.00	\$ 220.00	\$ 70,400.00
516	Brick Roadway Pavement Repair	49	SY	\$ 1.00	\$ 49.00	\$ 330.00	\$ 16,170.00
601	Curb and Gutter	3228	LF	\$ 0.01	\$ 32.28	\$ 44.50	\$ 143,646.00
602	Contingent Curb and Gutter	2000	LF	\$ 0.01	\$ 20.00	\$ 44.50	\$ 89,000.00
603	5-Inch Concrete Sidewalks	12854	SF	\$ 0.01	\$ 128.54	\$ 13.25	\$ 170,315.50
605	Contingent 5-Inch Concrete Sidewalk	8000	SF	\$ 0.01	\$ 80.00	\$ 13.25	\$ 106,000.00
606	Contingent 5-Inch Concrete Sidewalk with Brick or Other Surface	800	SF	\$ 1.00	\$ 800.00	\$ 60.00	\$ 48,000.00
608	Contingent Chain Link Fence Replacement	100	LF	\$ 1.00	\$ 100.00	\$ 50.00	\$ 5,000.00
609	Contingent Chain Link Fence Resetting	100	LF	\$ 1.00	\$ 100.00	\$ 42.00	\$ 4,200.00
610	Contingent Privacy Fence Replacement	100	LF	\$ 1.00	\$ 100.00	\$ 33.00	\$ 3,300.00
611	Contingent Privacy Fence Resetting	50	LF	\$ 1.00	\$ 50.00	\$ 26.50	\$ 1,325.00
701	Topsoil Furnished and Place at 4 In Depth	6220	SY	\$ 0.01	\$ 62.20	\$ 23.00	\$ 143,060.00
702	Seed and Mulching	25720	SY	\$ 0.01	\$ 257.20	\$ 9.00	\$ 231,480.00
704	Plant Trees, Shrubs, Vines and Seedling Sock	190	EA	\$ 1.00	\$ 190.00	\$ 470.00	\$ 89,300.00
705	Contingent Planting of Trees	40	EA	\$ 1.00	\$ 40.00	\$ 770.00	\$ 30,800.00
805	6 Inch CIPP Sanitary Sewer	66	LF	\$ 1.00	\$ 66.00	\$ 150.00	\$ 9,900.00
821	Contingent Open Cut Repair 12LF of 8-12 Inch SS Less Than or Equal to 12 LF	30	LF	\$ 1.00	\$ 30.00	\$ 6,630.00	\$ 198,900.00
822	Contingent Open Cut Repair 12LF of 8-12 Inch SS Greater Than 12 LF	15	EA	\$ 1.00	\$ 15.00	\$ 7,955.00	\$ 119,325.00
823	Contingent Open Cut Repair 12LF of 8-12 Inch SS Less Than or Equal to 12 LF	60	LF	\$ 1.00	\$ 60.00	\$ 382.00	\$ 22,920.00
824	Contingent Open Cut Repair 12LF of 8-12 Inch SS Greater Than 12 LF	30	LF	\$ 1.00	\$ 30.00	\$ 492.00	\$ 14,760.00
825	Contingent Open Cut Repair 12LF of 15-18 Inch SS Less Than or Equal to 12 LF	8	EA	\$ 1.00	\$ 8.00	\$ 9,170.00	\$ 73,360.00
826	Contingent Open Cut Repair 12LF of 15-18 Inch SS Greater Than 12 LF	5	EA	\$ 1.00	\$ 5.00	\$ 9,612.00	\$ 48,060.00
827	Contingent Open Cut Repair 12LF of 15-18 Inch SS Less Than or Equal to 12 LF	16	LF	\$ 1.00	\$ 16.00	\$ 470.00	\$ 7,520.00
828	Contingent Open Cut Repair 12LF of 15-18 Inch SS Greater Than 12 LF	10	LF	\$ 1.00	\$ 10.00	\$ 581.00	\$ 5,810.00
829	Contingent Open Cut Repair 12LF of 20-24 Inch SS Less Than or Equal to 12 LF	3	EA	\$ 1.00	\$ 3.00	\$ 12,154.00	\$ 36,462.00
830	Contingent Open Cut Repair 12LF of 20-24 Inch SS Greater Than 12 LF	2	EA	\$ 1.00	\$ 2.00	\$ 14,916.00	\$ 29,832.00
831	Contingent Open Cut Repair 12LF of 20-24 Inch SS Less Than or Equal to 12 LF	12	LF	\$ 1.00	\$ 12.00	\$ 719.00	\$ 8,628.00
832	Contingent Open Cut Repair 12LF of 20-24 Inch SS Greater Than 12 LF	10	LF	\$ 1.00	\$ 10.00	\$ 829.00	\$ 8,290.00
834	Contingent Open Cut Repair 12LF of 27 Inch SS Less Than or Equal to 12 LF	3	EA	\$ 1.00	\$ 3.00	\$ 11,574.00	\$ 34,722.00
835	Contingent Open Cut Repair 12LF of 27 Inch SS Greater Than 12 LF	2	EA	\$ 1.00	\$ 2.00	\$ 15,773.00	\$ 31,546.00
836	Contingent Open Cut Repair 12LF of 27 Inch SS Less Than or Equal to 12 LF	12	LF	\$ 1.00	\$ 12.00	\$ 940.00	\$ 11,280.00
843	Point Repair Using CIPP 8-10" Sanitary Sewer	24	EA	\$ 1.00	\$ 24.00	\$ 2,487.00	\$ 59,688.00
845	Point Repair Using CIPP 8-10" SS Additional FT Greater Than 8 FT	50	LF	\$ 1.00	\$ 50.00	\$ 332.00	\$ 16,600.00
847	Point Repair Using CIPP 12-16" Sanitary Sewer	4	EA	\$ 1.00	\$ 4.00	\$ 4,144.00	\$ 16,576.00
851	Point Repair Using CIPP 18-27" Sanitary Sewer	2	EA	\$ 1.00	\$ 2.00	\$ 8,730.00	\$ 17,460.00
854	Contingent Abandon Existing 8"-12" Sewer Main to Manhole	2	EA	\$ 1.00	\$ 2.00	\$ 1,382.00	\$ 2,764.00
860	Contingent Mainline Terminal Cleanout	8	LF	\$ 1.00	\$ 8.00	\$ 4,310.00	\$ 34,480.00
870	Open Cut Point Repair 8 Line FT of 6" Sewer House Connection	220	EA	\$ 1.00	\$ 220.00	\$ 4,807.00	\$ 1,057,540.00
871	Open Cut Point Repair 8 LF FT of 6" Sewer House Connection	142	EA	\$ 1.00	\$ 142.00	\$ 6,078.00	\$ 863,076.00
872	Contingent Open Cut Repair 8 LF of 6" Sewer House Connection	150	EA	\$ 1.00	\$ 150.00	\$ 4,807.00	\$ 721,050.00
873	Contingent Open Cut Point Repair 8 LF of 6" Sewer House Connection	50	EA	\$ 1.00	\$ 50.00	\$ 6,078.00	\$ 303,900.00
879	Contingent 48" Diameter Precast Sanitary Doghouse Manhole	40	VF	\$ 1.00	\$ 40.00	\$ 1,437.00	\$ 57,480.00
880	Remove Lamphole and Install 48" Diameter Precast Sanitary Manhole	50	VF	\$ 1.00	\$ 50.00	\$ 1,161.00	\$ 58,050.00
881	Contingent Remove Lamphole and Install 48" Diameter Precast Manhole	10	VF	\$ 1.00	\$ 10.00	\$ 1,161.00	\$ 11,610.00
903	Grout and Seal Leak in Manhole Walls	12000	PD	\$ 0.01	\$ 120.00	\$ 12.00	\$ 144,000.00
904	Grout and Seal Leak in Manhole Walls Polyurethane Grout	1200	gal	\$ 0.01	\$ 12.00	\$ 67.00	\$ 80,400.00
906	Repair and Coat Manhole Interior Cementitious	1659	VF	\$ 1.00	\$ 1,659.00	\$ 161.00	\$ 267,099.00
907	Contingent Repair and Coat Manhole Interior Cementitious	450	VF	\$ 1.00	\$ 450.00	\$ 161.00	\$ 72,450.00
920	Contingent Additional Excavation and Manhole Adjustment	200	VF	\$ 1.00	\$ 200.00	\$ 940.00	\$ 188,000.00
				Total	\$ 7,091.43	Total	\$ 10,200,664.00



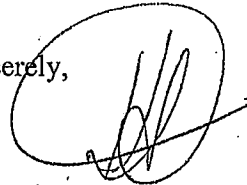
In all likelihood, the Guaranteed Item work and the Non-Contingent Item work will actually be performed, while the Contingent Item work may not. If these Contingent Items are not performed, Metra's bid will not yield the lowest cost to the City. In fact, under that scenario, SAK's cost to the City would be many millions of dollars lower than Metra's cost to the City.

In light of the foregoing, Metra's bid is both mathematically and materially unbalanced. Accordingly, Metra's bid should be rejected.

### III. CONCLUSION

Baltimore City should reject the bids of Spiniello and Metra on the grounds that they are unbalanced. Baltimore City should award this contract to SAK as the lowest responsive and responsible bidder.

Sincerely,



Kenneth Sorteberg  
Huddles Jones Sorteberg & Dachille, PC  
Attorney on behalf of SAK Construction, LLC

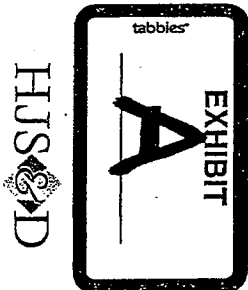
Enclosures

Cc: SAK Construction, LLC

DEPARTMENT: Department of Public Works  
 PROPOSAL FOR: SC 964, Improvements to the Sanitary Sewers in the North West Area of Baltimore City

OPENING DATE: RECV'D: 01/10/18  
 OPENED: 01/10/18

Bidder	Address	Bid Amount		Bid Bond	C h k	Check Amount	Date Check Returned	Check Receipt For
		<input checked="" type="checkbox"/> Lump	<input type="checkbox"/> Item					
Pleasants Construction, Inc.	24024 Frederick Rd. Clarksburg, MD 20871	\$ 25,893,267.00						
Spiniello Companies	3500 East Biddle St. Baltimore, MD 21213	\$ 17,433,000.00						
IPR Northeast	10555 Tucker St. Beltsville, MD 20705	\$ 20,196,153.25						
SAK Construction	1405 Benson Court Arbutus, MD 21227	\$ 19,385,181.75						
AM-Liner East, Inc.	601 Jack Enders Blvd. Berryville, VA 22611	\$ 19,747,791.60						
Metra Industries	50 Muller Place Little Falls, NJ 07424	\$ 17,565,679.43						



**EXHIBIT B**  
**SC NO. 964 - GUARANTEED ITEMS AND NON-CONTINGENT ITEMS ONLY**  
**(SAK is lower than Spiniello by \$189,259.25)**

Item	Description	Qty	Unit
101	MOB	1	LS
102	Engineer Office	1	LS
103	Maintenance of Traffic	1	LS
116	Clearing and Grubbing	1	LS
118	Selective Tree Felling 12" to 30" Diameter & Greater than 30"	10	EA
123	Allowance for Railroad Permit to Enter Agreement	1	ALL
124	Allowance for BGE & Other Private Utility	1	ALL
125	Allowance for Tree Mitigation	1	ALL
126	Allowance for Existing Utility Relocation	1	ALL
127	Allowance for Additional Construction Relate Cost	1	ALL
301	Erosion and Sediment Control	1	LS
501	Removsl of Bituminous Paving Materal 2-inch Dept	7071	SY
503	6 inch Sub Base Using Crusher Run	13276	SY
505	Hot Mix Asphalt Superpave 12.5mm Level for Surface Course	1821	TN
507	Hot Mix Ashalt Superpave 19.0mm Level 2 for Base Course	3348	TN
509	Patching Existing Pavement Using Mix No. 7 Concrete	656	CY
511	Patching Existing Rigid Pavement Using Reinforced Concrete	1054	CY
516	Brick Roadway Pavement Repair	49	SY
601	Curb and Gutter	3228	LF
603	5-inch Concrete Sidewalks	12854	SF
604	5-inch Concrete Sidewalk with Brick or other Surfacing Material	238	SF
607	Detectable Warning Pavers	304	SF
701	Topsoil Furnished and Place at 4 in Depth	6220	SY
702	Seed and Mulching	25720	SY
703	Hydroseeding	400	SY
704	Plant Trees, Shrubs, Vines and Seedling Sock	190	EA
801	Closed Circuit TV Inspection 6"-15"	1690	LF
802	Closed Circuit TV Inspection 18"-30"	325	LF
805	6 inch CIPP Sanitary Sewer	66	LF
806	8 inch CIPP Sanitary Sewer	26200	LF
807	10 inch CIPP Sanitary Sewer	3750	LF
808	12 inch CIPP Sanitary Sewer	2687	LF
809	16 inch CIPP Sanitary Sewer	440	LF
810	18 inch CIPP Sanitary Sewer	904	LF
811	20 inch CIPP Sanitary Sewer	365	LF
812	22 inch CIPP Sanitary Sewer	43	LF

**\$ 13,960,685.00**

Spiniello	
Unit Price	Ext. Price
\$ 1,000,000.00	\$ 1,000,000.00
\$ 46,557.00	\$ 46,557.00
\$ 749,400.00	\$ 749,400.00
\$ 49,800.00	\$ 49,800.00
\$ 750.00	\$ 7,500.00
\$ 200,000.00	\$ 200,000.00
\$ 20,000.00	\$ 20,000.00
\$ 10,000.00	\$ 10,000.00
\$ 300,000.00	\$ 300,000.00
\$ 300,000.00	\$ 300,000.00
\$ 165,000.00	\$ 165,000.00
\$ 17.00	\$ 120,207.00
\$ 1.00	\$ 13,276.00
\$ 80.00	\$ 145,680.00
\$ 200.00	\$ 669,600.00
\$ 800.00	\$ 524,800.00
\$ 300.00	\$ 316,200.00
\$ 200.00	\$ 9,800.00
\$ 33.00	\$ 106,524.00
\$ 10.00	\$ 128,540.00
\$ 55.00	\$ 13,090.00
\$ 35.00	\$ 10,640.00
\$ 7.00	\$ 43,540.00
\$ 1.00	\$ 25,720.00
\$ 1.00	\$ 400.00
\$ 250.00	\$ 47,500.00
\$ 4.00	\$ 6,760.00
\$ 5.00	\$ 1,625.00
\$ 130.00	\$ 8,580.00
\$ 40.00	\$ 1,048,000.00
\$ 45.00	\$ 168,750.00
\$ 52.00	\$ 139,724.00
\$ 91.00	\$ 40,040.00
\$ 98.00	\$ 88,592.00
\$ 125.00	\$ 45,625.00
\$ 280.00	\$ 12,040.00

**\$ 13,771,425.75**

SAK	
Unit Price	Ext. Price
\$ 525,000.00	\$ 525,000.00
\$ 85,000.00	\$ 85,000.00
\$ 285,000.00	\$ 285,000.00
\$ 100,000.00	\$ 100,000.00
\$ 3,300.00	\$ 33,000.00
\$ 200,000.00	\$ 200,000.00
\$ 20,000.00	\$ 20,000.00
\$ 10,000.00	\$ 10,000.00
\$ 300,000.00	\$ 300,000.00
\$ 300,000.00	\$ 300,000.00
\$ 200,000.00	\$ 200,000.00
\$ 16.50	\$ 116,671.50
\$ 16.50	\$ 219,054.00
\$ 248.00	\$ 451,608.00
\$ 221.00	\$ 739,908.00
\$ 660.00	\$ 432,960.00
\$ 715.00	\$ 753,610.00
\$ 330.00	\$ 16,170.00
\$ 44.50	\$ 143,646.00
\$ 13.25	\$ 170,315.50
\$ 60.00	\$ 14,280.00
\$ 45.00	\$ 13,680.00
\$ 23.00	\$ 143,060.00
\$ 9.00	\$ 231,480.00
\$ 17.75	\$ 7,100.00
\$ 470.00	\$ 89,300.00
\$ 2.75	\$ 4,647.50
\$ 5.25	\$ 1,706.25
\$ 150.00	\$ 9,900.00
\$ 38.50	\$ 1,008,700.00
\$ 45.00	\$ 168,750.00
\$ 50.00	\$ 134,350.00
\$ 55.00	\$ 24,200.00
\$ 105.00	\$ 94,920.00
\$ 115.00	\$ 41,975.00
\$ 400.00	\$ 17,200.00



813	24 inch CIPP Sanitary Sewer	60	LF
814	27 inch CIPP Sanitary Sewer	660	LF
816	Reinstatement Sewer House Connection	3925	EA
817	Open Cut Repair 12LF of 8-12 inch SS Less Than or equal 12FT	20	EA
818	Open Cut Repair 12LF of 8-12 inch SS Greater Than 12FT	12	EA
819	Open Cut Repair 12LF of 8-12 inch SS Less Than or equal 12FT ADD	10	LF
820	Open Cut Repair 12LF of 8-12 inch SS Greater Than 12FT ADD	10	LF
833	Open Cut Repair 12LF of 27 inch SS Greater Than 12FT	1	EA
838	8" PVC Sanitary Sewer Replacement	114	LF
839	10" PVC Sanitary Sewer Replacement	50	LF
840	12" PVC Sanitary Sewer Replacement	97	LF
841	15" PVC Sanitary Sewer Replacement	385	LF
842	NOT USED		
843	Point Repair Using CIPP 8-10" Sanitary Sewer	24	EA
845	Point Repair Using CIPP 8-10" SS Additional FT Greater Than 8 FT	50	LF
847	Point Repair Using CIPP 12-16" Sanitary Sewer	4	EA
849	Point Repair Using CIPP 12-16" Sanitary Sewer ADD FT Greater Than	10	LF
851	Point Repair Using CIPP 18-27" Sanitary Sewer	2	EA
855	CCTV Inspection of Lateral (Main to 8')	10	EA
861	Grout (Set Up) For sewer House Connection	1077	EA
863	Non Structural Grout for Sewer House Connection	4308	Gal
865	Structural Grout of Service Connection	243	EA
868	Repair Sewer House Connection By CIPP	198	EA
870	Open Cut Point Repair 8 Line FT of 6" Sewer House Connection Less	220	EA
871	Open Cut Point Repair 8 LF FT of 6" Sewer House Connectio Greater	142	EA
876	48" Diameter Precast Sanitary Manhole for Pipe up to 24"	209	VF
878	48" Diameter Precast Sanitary Doghouse Manhole for pipe up to 24"	20	VF
880	Remove Lamphole and Install 48" Diameter Precast Sanitary Manhol	50	VF
882	Type A or B Sanitary Drop Connection	5	EA
884	Install Internal Sanitary Drop Connection	17	EA
885	Locate and Open Manhole	71	EA
887	Replace Manhole Frame and Cover	5	EA
889	Replace Manhole Cover	6	EA
890	Replace Manhole Frame and Cover with Lockable Watertight Frame	6	EA
892	Reset Manhole Frame and Cover	47	EA
894	Provide and Install Manhole Adjustment Rings	58	EA
896	Replace Manhole Step	207	EA
898	External Manhole Frame Seal	92	EA
900	Internal Manhole Frame Seal	198	EA
902	Repair/Rebuild Manhole Brench and Invert Channel	108	EA
903	Grout and Seal Leak in Manhole Walls	12000	PD

\$	280.00	\$	16,800.00
\$	200.00	\$	132,000.00
\$	150.00	\$	588,750.00
\$	8,000.00	\$	160,000.00
\$	10,000.00	\$	120,000.00
\$	480.00	\$	4,800.00
\$	500.00	\$	5,000.00
\$	14,000.00	\$	14,000.00
\$	320.00	\$	36,480.00
\$	320.00	\$	16,000.00
\$	330.00	\$	32,010.00
\$	330.00	\$	127,050.00
	\$	-	
\$	2,500.00	\$	60,000.00
\$	400.00	\$	20,000.00
\$	4,500.00	\$	18,000.00
\$	350.00	\$	3,500.00
\$	8,000.00	\$	16,000.00
\$	700.00	\$	7,000.00
\$	550.00	\$	592,350.00
\$	15.00	\$	64,620.00
\$	3,000.00	\$	729,000.00
\$	3,000.00	\$	594,000.00
\$	6,200.00	\$	1,364,000.00
\$	8,200.00	\$	1,164,400.00
\$	1,200.00	\$	250,800.00
\$	1,200.00	\$	24,000.00
\$	1,200.00	\$	60,000.00
\$	3,300.00	\$	16,500.00
\$	2,300.00	\$	39,100.00
\$	1,400.00	\$	99,400.00
\$	1,300.00	\$	6,500.00
\$	500.00	\$	3,000.00
\$	1,500.00	\$	9,000.00
\$	1,200.00	\$	56,400.00
\$	1,100.00	\$	63,800.00
\$	65.00	\$	13,455.00
\$	2,200.00	\$	202,400.00
\$	425.00	\$	84,150.00
\$	850.00	\$	91,800.00
\$	6.00	\$	72,000.00

\$	450.00	\$	27,000.00
\$	135.00	\$	89,100.00
\$	25.00	\$	98,125.00
\$	7,181.00	\$	143,620.00
\$	7,955.00	\$	95,460.00
\$	360.00	\$	3,600.00
\$	470.00	\$	4,700.00
\$	11,836.00	\$	11,836.00
\$	691.00	\$	78,774.00
\$	539.00	\$	26,950.00
\$	567.00	\$	54,999.00
\$	657.00	\$	252,945.00
\$	-	\$	-
\$	2,487.00	\$	59,688.00
\$	332.00	\$	16,600.00
\$	4,144.00	\$	16,576.00
\$	332.00	\$	3,320.00
\$	8,730.00	\$	17,460.00
\$	376.00	\$	3,760.00
\$	442.00	\$	476,034.00
\$	9.00	\$	38,772.00
\$	4,144.00	\$	1,006,992.00
\$	2,487.00	\$	492,426.00
\$	4,807.00	\$	1,057,540.00
\$	6,078.00	\$	863,076.00
\$	1,161.00	\$	242,649.00
\$	1,437.00	\$	28,740.00
\$	1,161.00	\$	58,050.00
\$	4,199.00	\$	20,995.00
\$	1,989.00	\$	33,813.00
\$	1,326.00	\$	94,146.00
\$	1,658.00	\$	8,290.00
\$	442.00	\$	2,652.00
\$	2,431.00	\$	14,586.00
\$	1,824.00	\$	85,728.00
\$	1,824.00	\$	105,792.00
\$	83.00	\$	17,181.00
\$	1,161.00	\$	106,812.00
\$	774.00	\$	153,252.00
\$	940.00	\$	101,520.00
\$	12.00	\$	144,000.00

904	Grout and Seal Leak in Manhole Walls Polyurethane Grout	1200	gal
905	Repair Pipe Seal at Manhole	124	EA
906	Repair and Coat Manhole Interior Cementitious	1659	VF
908	Repair and Coat Manhole Interior Resin	54	VF
911	Heavy Cleaning and Chemical Root Treatment of Manhole	13	EA
913	Rebuild Manhole Wall	38	VF
918	Raise Existing Manhole to/above Grade	17	EA

\$	40.00	\$	48,000.00
\$	80.00	\$	9,920.00
\$	160.00	\$	265,440.00
\$	300.00	\$	16,200.00
\$	650.00	\$	8,450.00
\$	450.00	\$	17,100.00
\$	2,000.00	\$	34,000.00
Total		\$	13,960,685.00

\$	67.00	\$	80,400.00
\$	774.00	\$	95,976.00
\$	161.00	\$	267,099.00
\$	288.00	\$	15,552.00
\$	277.00	\$	3,601.00
\$	442.00	\$	16,796.00
\$	1,603.00	\$	27,251.00
Total		\$	13,771,425.75

Roger C. Jones (MD, DC, VA)  
Kenneth K. Sorteberg (MD, DC)  
Mark S. Dachille (MD)  
Nicole L. Campbell (MD, DC)  
Lucas F. Webster (MD, DC, VA)

◆  
Joseph L. Katz (MD)  
Kevin B. Mattingly (MD, DC)

 **HUDDLES JONES  
SORTEBERG & DACHILLE**  
A PROFESSIONAL CORPORATION

◆ William M. Huddles (1945-2010) ◆

March 2, 2018

**Via Hand Delivery**

[sorteberg@constructionlaw.com](mailto:sorteberg@constructionlaw.com)

Board of Estimates  
c/o Clerk to the Board  
Room 204, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

**Re: Bid Protest of SAK Construction, LLC**  
**Contract: SC No. 964 - Improvements to the Sanitary Sewers**  
**In the North West Area of Baltimore City**

Dear Board Members and Clerk:

This law firm represents SAK Construction, LLC ("SAK"). Please consider this letter to be SAK's written bid protest of the award of contract SC No. 964 to anyone other than SAK.

SAK was one of six bidders who submitted bids for the above referenced solicitation. Bids for this contract were opened and read on January 10, 2018. Spiniello submitted the lowest bid; Metra Industries submitted the second lowest bid; and SAK submitted the third lowest bid. (See **Exhibit A.**) However, as explained below, the bids of both Spiniello and Metra are mathematically and materially unbalanced.

Baltimore City Specifications ("Green Book) provides in pertinent part as follows:

**00 21 13.11 IRREGULAR BIDS**

Bids may be rejected if they show ... irregularities of any kind. The City reserves the right to reject any ... unbalanced ... proposals unless expressly required or authorized in the Bid documents.

**00 51 00.05 UNRESPONSIVE AND UNBALANCED BIDS**

To better ensure fair competition and to permit a determination of the lowest Bid, ... unbalanced ... Bids may be rejected by the Board of Estimates at its sole discretion.

Accordingly, Baltimore City should reject the bids of Spiniello and Metra on the grounds that they are irregular and unbalanced, and Baltimore City should award this contract to SAK as the lowest responsive and responsible bidder. For its protest, SAK states as follows.

This contract is based on unit prices. The contract includes five items of work where payment is guaranteed for lump sum amounts: Mobilization, Engineer Office, Maintenance of Traffic, Clearing and Grubbing, and Erosion and Sediment Control (the “Guaranteed Items”). The bid form breaks the remaining unit price items down into two categories. The contract provides for many Non-Contingent Items. However, because of unknowns, the contract also includes many Contingent Items. Bidders were required to submit values for all unit price items, including Guaranteed Items, Non-Contingent Items and Contingent Items.

SAK’s bid is fair and balanced, assigning market prices to Guaranteed Items, Non-Contingent Items and Contingent Items. However, as explained below, the bids of Spiniello and Metra are irregular and unbalanced.

**I. SPINIELLO’S BID SHOULD BE REJECTED BECAUSE IT IS IRREGULAR AND UNBALANCED**

**A. Spiniello’s Bid Is “Front End Loaded”**

SAK’s price for Bid Item 101 Mobilization is \$525,000.00. However, Spiniello’s price for this same bid item is \$1,000,000.00, i.e. almost half a million dollars higher than SAK’s price. Mobilization is the very first thing for which a contractor will invoice the City. Spiniello has “front end loaded” its bid by placing such an unreasonably high price on this early payment item.

Under Maryland law, a bid that is front end loaded may be rejected. See, *Appeal of Blastech Enterprises, Inc.*, MSBCA 2454 (2005):

Thus, if the bid is materially unbalanced such that the bid may not, in fact, be the low bid, or if there appears to be material front end loading which places unreasonably high costs on early payment items potentially leaving insufficient funds if the contractor should default or fail to perform later in the job, then the State may reject the bid on the grounds the bidder is not responsible.

(Emphasis supplied.) Accordingly, the bid of Spiniello should be rejected.

**B. Spiniello’s Bid is Mathematically and Materially Unbalanced**

Baltimore City’s specifications, insofar as they prohibit the submission of materially unbalanced bids, are consistent with general government contracting. Many federal, state, and local government entities have rejected unbalanced bids for fear that the unbalanced bids could result in additional cost to the government. “Unbalanced pricing exists where, as here, the price of one or more contract line items is significantly overstated, despite a relatively low total evaluated price.” *In re Industrial Builders, Inc.*, B-283749 (Comp. Gen.), 99-2 CPD P 114, 1999 WL 1267047 (Dec. 29, 1999) (rejecting protest and affirming rejection of bid when significant cost of cofferdam work was improperly included in lump sum clearing, grubbing, and snagging of debris item). “Offers with separately priced line items must be analyzed to determine if the prices are unbalanced by, for example, comparing offered prices with prices in other bids or with an independent government estimate.” *Id.*

As stated in *In re Pearl Properties*, B-246392 (Comp. Gen.), B-247006, B-246707, B-246618, B-246082, 92-1 CPD P 104, 1992 WL 18504, \*2 (Nov. 17 1992):

An examination of bid unbalancing has two aspects. First, the bid must be evaluated mathematically to determine whether each item carries its share of the cost of the work specified for that item as well as overhead and profit. If the bid is based on nominal prices for some of the work and enhanced prices for other work, it is mathematically unbalanced. Second, the agency must determine whether award to a bidder that has submitted a mathematically unbalanced bid will result in the lowest overall cost to the government. If award to a party that submits a mathematically unbalanced bid may not result in the lowest overall cost to the government, the bid is materially unbalanced and cannot be accepted.

See also, *Appeal of Pile Foundation Construction, Inc.*, MSBCA 2224 (2001). The *Pile Foundation* case further provides as follows:

A mathematically unbalanced bid is one in which the bid contains understated and overstated unit prices.

\* \* \*

... the bid is materially unbalanced if there is a reasonable doubt that award to [the contractor] would not result in the lowest ultimate cost to [the government].

Here, Spiniello's bid contains both drastically overstated pricing and drastically understated pricing, creating a reasonable doubt that Spiniello's bid will result in the lowest ultimate cost to the City. As such, the City should reject Spiniello's bid as mathematically and materially unbalanced.

The overstated pricing is for certain Guaranteed Items and Non-Contingent Items. It is important to note the high likelihood that these work items will actually be performed. Spiniello has overstated its pricing for these items by over \$1.5 million!

The understated pricing is for Contingent Items. It is important to note the low likelihood that these work items will actually be performed. Spiniello has understated its pricing for these items by over \$1.6 million!

Below are Guaranteed Items and Non-Contingent Items for which Spiniello has drastically overstated its pricing. SAK's market value pricing for these Guaranteed Items and Non-Contingent Items totals only just over \$1 million, while Spiniello's overstated pricing totals just over \$2.5 million.

				\$ 2,540,550.00		\$ 1,014,937.00	
				Spiniello		SAK	
Item	Description	QTY	Unit	Unit Price	Ext. Price	Unit Price	Ext. Price
101	MOB	1	LS	\$ 1,000,000.00	\$ 1,000,000.00	\$ 525,000.00	\$ 525,000.00
103	Maintenance of Traffic	1	LS	\$ 749,400.00	\$ 749,400.00	\$ 285,000.00	\$ 285,000.00
816	Reinstatement Sewer House Connection	3925	EA	\$ 150.00	\$ 588,750.00	\$ 25.00	\$ 98,125.00
898	External Manhole Frame Seal	92	EA	\$ 2,200.00	\$ 202,400.00	\$ 1,161.00	\$ 106,812.00
				Total	\$ 2,540,550.00	Total	\$ 1,014,937.00



Below are the Contingent Items for which Spiniello has drastically understated its pricing. Spiniello has included many unit prices as low as one dollar, while the true unit prices of these items range from 13 times higher to 715 times higher. SAK's market value pricing for these Contingent Items totals well over \$1.6 million, while Spiniello's understated pricing totals only \$66,050.00. In other words, Spiniello is gambling over \$1.6 million that this Contingent Item work will never come to fruition.

				\$ 66,050.00		\$ 1,683,249.00	
				Spiniello		SAK	
Item	Description	QTY	Unit	Unit Price	Ext. Price	Unit Price	Ext. Price
207	Contingent Sheet and Shoring Left in Place	4	PER	\$ 100.00	\$ 400.00	\$ 4,975.00	\$ 19,900.00
504	Contingent 6 inch Sub Base Using Crusher Run	8500	SY	\$ 1.00	\$ 8,500.00	\$ 16.50	\$ 140,250.00
506	Contingent Hot Mix Asphalt Superpave 12.5mm	900	TN	\$ 1.00	\$ 900.00	\$ 248.00	\$ 223,200.00
508	Contingent Hot Mix Asphalt Superpave 19.0mm	1650	TN	\$ 1.00	\$ 1,650.00	\$ 221.00	\$ 364,650.00
512	Contingent Patching Existing Rigid Pavement Using Reinforce	800	CY	\$ 1.00	\$ 800.00	\$ 715.00	\$ 572,000.00
602	Contingent Curb and Gutter	2000	LF	\$ 1.00	\$ 2,000.00	\$ 44.50	\$ 89,000.00
605	Contingent 5-inch Concrete Sidewalk	8000	SF	\$ 1.00	\$ 8,000.00	\$ 13.25	\$ 106,000.00
606	Contingent 5-inch Concrete Sidewalk with Brick or Other Surf	800	SF	\$ 1.00	\$ 800.00	\$ 60.00	\$ 48,000.00
883	Contingent Type A or B Sanitary Drop Connection	4	EA	\$ 1,500.00	\$ 6,000.00	\$ 4,199.00	\$ 16,796.00
891	Contingent Replace Manhole Frame and Cover with Lockable	8	EA	\$ 1,000.00	\$ 8,000.00	\$ 2,431.00	\$ 19,448.00
893	Contingent Reset Manhole Frame and Cover	15	EA	\$ 700.00	\$ 10,500.00	\$ 1,824.00	\$ 27,360.00
895	Contingent Provide and Install Manhole Adjustment Rings	10	EA	\$ 500.00	\$ 5,000.00	\$ 1,934.00	\$ 19,340.00
923	Contingent Furnishing and Installing of Small (5/8"-2") and/or	15	EA	\$ 900.00	\$ 13,500.00	\$ 2,487.00	\$ 37,305.00
				Total	\$ 66,050.00	Total	\$ 1,683,249.00

In all likelihood, the Guaranteed Item work and the Non-Contingent Item work will actually be performed, while the Contingent Item work may not. If the Contingent Items are not performed, Spiniello's bid would not yield the lowest cost to the City. Under that scenario, as set forth on **Exhibit B**, SAK's cost to the City would be \$189,259.25 lower than Spiniello's cost to the City.

In light of the foregoing, Spiniello's bid is both mathematically and materially unbalanced. Accordingly, Spiniello's bid should be rejected.

## II. METRA'S BID MUST BE REJECTED BECAUSE IT IS IRREGULAR AND UNBALANCED

### A. Metra's Bid Is "Front End Loaded"

SAK's price for Bid Item 101 Mobilization is \$525,000.00. However, Metra's price for this same bid item is \$1,000,000.00, i.e. almost half a million dollars higher than SAK's price. Mobilization is the very first thing for which a contractor will invoice the City. Metra has "front end loaded" its bid by placing such an unreasonably high price on this early payment item.

Under Maryland law, a bid that is front end loaded may be rejected. *See, Appeal of Blastech Enterprises, Inc.*, MSBCA 2454 (2005). Accordingly, the bid of Metra should be rejected.

### B. Metra's Bid is Mathematically and Materially Unbalanced

Baltimore City's specifications, insofar as they prohibit the submission of materially unbalanced bids, are consistent with general government contracting. Many federal, state, and local government entities have rejected unbalanced bids for fear that the unbalanced bids could result in additional cost to the government. *See, In re Industrial Builders, Inc.*, B-283749 (Comp.

Gen.), 99-2 CPD P 114, 1999 WL 1267047 (Dec. 29, 1999); *In re Pearl Properties*, B-246392 (Comp. Gen.), B-247006, B-246707, B-246618, B-246082, 92-1 CPD P 104, 1992 WL 18504, \*2 (Nov. 17 1992); *Appeal of Pile Foundation Construction, Inc.*, MSBCA 2224 (2001).

Here, Metra’s bid contains both drastically overstated pricing and drastically understated pricing, creating a reasonable doubt that Metra’s bid will result in the lowest ultimate cost to the City. As such, the City should reject Metra’s bid as mathematically and materially unbalanced.

The overstated pricing is for certain Guaranteed Items and Non-Contingent Items. It is important to note the high likelihood that these work items will actually be performed. Metra has overstated its pricing for these items by over \$8.5 million!

The understated pricing is for Contingent Items. It is important to note the low likelihood that these work items will actually be performed. Metra has understated its pricing for these items by over \$10 million!

Below are Guaranteed Items and Non-Contingent Items for which Metra has drastically overstated its pricing. SAK’s market value pricing for these Guaranteed Items and Non-Contingent Items totals only about \$2.6 million, while Metra’s overstated pricing totals an incredible \$11.1 million. In a nutshell, Metra stands to gain a massive multi-million dollar profit at the City’s expense if the Contingent Item work never comes to fruition.

				\$ 11,127,660.00		\$ 2,597,913.00	
				Metra		SAK	
Item	Description	QTY	Unit	Unit Price	Ext. Price	Unit Price	Ext. Price
101	MOB	1	LS	\$ 1,000,000.00	\$ 1,000,000.00	\$ 525,000.00	\$ 525,000.00
103	Maintenance of Traffic	1	LS	\$ 2,500,000.00	\$ 2,500,000.00	\$ 285,000.00	\$ 285,000.00
116	Clearing and Grubbing	1	LS	\$ 800,000.00	\$ 800,000.00	\$ 100,000.00	\$ 100,000.00
807	10 inch CIPP Sanitary Sewer	3750	LF	\$ 180.00	\$ 675,000.00	\$ 45.00	\$ 168,750.00
808	12 inch CIPP Sanitary Sewer	2687	LF	\$ 230.00	\$ 618,010.00	\$ 50.00	\$ 134,350.00
809	16 inch CIPP Sanitary Sewer	440	LF	\$ 1,100.00	\$ 484,000.00	\$ 55.00	\$ 24,200.00
814	27 inch CIPP Sanitary Sewer	660	LF	\$ 500.00	\$ 330,000.00	\$ 135.00	\$ 89,100.00
817	Open Cut Repair 12LF of 8-12 inch SS Less Than or equal 12FT	20	EA	\$ 30,000.00	\$ 600,000.00	\$ 7,181.00	\$ 143,620.00
818	Open Cut Repair 12LF of 8-12 inch SS Greater Than 12FT	12	EA	\$ 40,000.00	\$ 480,000.00	\$ 7,955.00	\$ 95,460.00
819	Open Cut Repair 12LF of 8-12 inch SS Less Than or equal 12FT A	10	LF	\$ 4,000.00	\$ 40,000.00	\$ 360.00	\$ 3,600.00
820	Open Cut Repair 12LF of 8-12 inch SS Greater Than 12FT ADD	10	LF	\$ 6,000.00	\$ 60,000.00	\$ 470.00	\$ 4,700.00
833	Open Cut Repair 12LF of 27 inch SS Greater Than 12FT	1	EA	\$ 200,000.00	\$ 200,000.00	\$ 11,836.00	\$ 11,836.00
841	15" PVC Sanitary Sewer Replacement	385	LF	\$ 2,500.00	\$ 962,500.00	\$ 657.00	\$ 252,945.00
844	Contingent Point Repair Using CIPP 8-10" Sanitary Sewer	10	EA	\$ 2,500.00	\$ 25,000.00	\$ 2,487.00	\$ 24,870.00
861	Grout (Set Up) For sewer House Connection	1077	EA	\$ 1,300.00	\$ 1,400,100.00	\$ 442.00	\$ 476,034.00
878	48" Diameter Precast Sanitary Doghouse Manhole for pipe up t	20	VF	\$ 10,000.00	\$ 200,000.00	\$ 1,437.00	\$ 28,740.00
884	Install Internal Sanitary Drop Connection	17	EA	\$ 800.00	\$ 13,600.00	\$ 1,989.00	\$ 33,813.00
896	Replace Manhole Step	207	EA	\$ 350.00	\$ 72,450.00	\$ 83.00	\$ 17,181.00
897	Contingent Replace Manhole Steps	50	EA	\$ 350.00	\$ 17,500.00	\$ 83.00	\$ 4,150.00
900	Internal Manhole Frame Seal	198	EA	\$ 3,000.00	\$ 594,000.00	\$ 774.00	\$ 153,252.00
908	Repair and Coat Manhole Interior Resin	54	VF	\$ 750.00	\$ 40,500.00	\$ 288.00	\$ 15,552.00
909	Contingent Repair and Coat Manhole Interior Resin	20	VF	\$ 750.00	\$ 15,000.00	\$ 288.00	\$ 5,760.00
				Total	\$ 11,127,660.00	Total	\$ 2,597,913.00

Below are the Contingent Items for which Metra has drastically understated its pricing. Metra bid unit prices of one penny or one dollar, while the true unit prices of these items range from 440 times higher to 71,500 times higher. SAK’s market value pricing for these Contingent Items totals over \$10 million, while Metra’s understated pricing totals only \$7,091.43. In other words, Metra is gambling over \$10 million that this Contingent Item work will never come to fruition.

				\$ 7,091.43		\$ 10,200,664.00	
				Metra		SAK	
Item	Description	QTY	Unit	Unit Price	Ext. Price	Unit Price	Ext. Price
304	Contingent Tree Protection Fence	4095	LF	\$ 0.01	\$ 40.95	\$ 4.40	\$ 18,018.00
308	Contingent Stabilized Construction	100	TN	\$ 1.00	\$ 100.00	\$ 93.00	\$ 9,300.00
310	Contingent Temporary Utility Access Road For Type 2	400	SY	\$ 1.00	\$ 400.00	\$ 60.00	\$ 24,000.00
311	Contingent Temporary Utility Access Road For type 3	200	SY	\$ 1.00	\$ 200.00	\$ 127.00	\$ 25,400.00
501	Removsl of Bituminous Paving Material 2-inch Dept	7071	SY	\$ 0.01	\$ 70.71	\$ 16.50	\$ 116,671.50
502	Contingent Removal of Bituminous Paving Material	5000	SY	\$ 0.01	\$ 50.00	\$ 16.50	\$ 82,500.00
503	6 inch Sub Base Using Crusher Run	13276	SY	\$ 0.01	\$ 132.76	\$ 16.50	\$ 219,054.00
504	Contingent 6 inch Sub Base Using Crusher Run	8500	SY	\$ 0.01	\$ 85.00	\$ 16.50	\$ 140,250.00
505	Hot Mix Asphalt Superpave 12.5mm Level for Surface Course	1821	TN	\$ 0.01	\$ 18.21	\$ 248.00	\$ 451,608.00
506	Contingent Hot Mix Asphalt Superpave 12.5mm	900	TN	\$ 0.01	\$ 9.00	\$ 248.00	\$ 223,200.00
507	Hot Mix Asphalt Superpave 19.0mm Level 2 for Base Course	3348	TN	\$ 0.01	\$ 33.48	\$ 221.00	\$ 739,908.00
508	Contingent Hot Mix Asphalt Superpave 19.0mm	1650	TN	\$ 0.01	\$ 16.50	\$ 221.00	\$ 364,650.00
509	Patching Existing Pavement Using Mix No. 7 Concrete	656	CY	\$ 0.01	\$ 6.56	\$ 660.00	\$ 432,960.00
510	Contingent Patching Existing Pavement Using No.7 Concrete	350	CY	\$ 0.01	\$ 3.50	\$ 660.00	\$ 231,000.00
511	Patching Existing Rigid Pavement Using Reinforced Concrete	1054	CY	\$ 0.01	\$ 10.54	\$ 715.00	\$ 753,610.00
512	Contingent Patching Existing Rigid Pavement Using Reinforced C	800	CY	\$ 0.01	\$ 8.00	\$ 715.00	\$ 572,000.00
514	Contingent Thermoplastic Pavement (Letters, Symbols,Arrows,	100	EA	\$ 1.00	\$ 100.00	\$ 110.00	\$ 11,000.00
515	Contingent Bus Stopping Pad	320	SY	\$ 1.00	\$ 320.00	\$ 220.00	\$ 70,400.00
516	Brick Roadway Pavement Repair	49	SY	\$ 1.00	\$ 49.00	\$ 330.00	\$ 16,170.00
601	Curb and Gutter	3228	LF	\$ 0.01	\$ 32.28	\$ 44.50	\$ 143,646.00
602	Contingent Curb and Gutter	2000	LF	\$ 0.01	\$ 20.00	\$ 44.50	\$ 89,000.00
603	5-inch Concrete Sidewalks	12854	SF	\$ 0.01	\$ 128.54	\$ 13.25	\$ 170,315.50
605	Contingent 5-inch Concrete Sidewalk	8000	SF	\$ 0.01	\$ 80.00	\$ 13.25	\$ 106,000.00
606	Contingent 5-inch Concrete Sidewalk with Brick or Other Surfac	800	SF	\$ 1.00	\$ 800.00	\$ 60.00	\$ 48,000.00
608	Contingent Chain Link Fence Replacement	100	LF	\$ 1.00	\$ 100.00	\$ 50.00	\$ 5,000.00
609	Contingent Chain Link Fence Resetting	100	LF	\$ 1.00	\$ 100.00	\$ 42.00	\$ 4,200.00
610	Contingent Privacy Fence Replacement	100	LF	\$ 1.00	\$ 100.00	\$ 33.00	\$ 3,300.00
611	Contingent Privacy Fence Resetting	50	LF	\$ 1.00	\$ 50.00	\$ 26.50	\$ 1,325.00
701	Topsoil Furnished and Place at 4 in Depth	6220	SY	\$ 0.01	\$ 62.20	\$ 23.00	\$ 143,060.00
702	Seed and Mulching	25720	SY	\$ 0.01	\$ 257.20	\$ 9.00	\$ 231,480.00
704	Plant Trees, Shrubs, Vines and Seedling Sock	190	EA	\$ 1.00	\$ 190.00	\$ 470.00	\$ 89,300.00
705	Contingent Planting of Trees	40	EA	\$ 1.00	\$ 40.00	\$ 770.00	\$ 30,800.00
805	6 inch CIPP Sanitary Sewer	66	LF	\$ 1.00	\$ 66.00	\$ 150.00	\$ 9,900.00
821	Contingent Open Cut Repair 12LF of 8-12 inch SS Less Than or e	30	LF	\$ 1.00	\$ 30.00	\$ 6,630.00	\$ 198,900.00
822	Contingent Open Cut Repair 12LF of 8-12 inch SS Greater Than	15	EA	\$ 1.00	\$ 15.00	\$ 7,955.00	\$ 119,325.00
823	Contingent Open Cut Repair 12LF of 8-12 inch SS Less Than or e	60	LF	\$ 1.00	\$ 60.00	\$ 382.00	\$ 22,920.00
824	Contingent Open Cut Repair 12LF of 8-12 inch SS Greater Than	30	LF	\$ 1.00	\$ 30.00	\$ 492.00	\$ 14,760.00
825	Contingent Open Cut Repair 12LF of 15-18 inch SS Less Than or	8	EA	\$ 1.00	\$ 8.00	\$ 9,170.00	\$ 73,360.00
826	Contingent Open Cut Repair 12LF of 15-18 inch SS Greater Than	5	EA	\$ 1.00	\$ 5.00	\$ 9,612.00	\$ 48,060.00
827	Contingent Open Cut Repair 12LF of 15-18 inch SS Less Than or	16	LF	\$ 1.00	\$ 16.00	\$ 470.00	\$ 7,520.00
828	Contingent Open Cut Repair 12LF of 15-18 inch SS Greater Than	10	LF	\$ 1.00	\$ 10.00	\$ 581.00	\$ 5,810.00
829	Contingent Open Cut Repair 12LF of 20-24 inch SS Less Than or	3	EA	\$ 1.00	\$ 3.00	\$ 12,154.00	\$ 36,462.00
830	Contingent Open Cut Repair 12LF of 20-24 inch SS Greater Than	2	EA	\$ 1.00	\$ 2.00	\$ 14,916.00	\$ 29,832.00
831	Contingent Open Cut Repair 12LF of 20-24 inch SS Less Than or	12	LF	\$ 1.00	\$ 12.00	\$ 719.00	\$ 8,628.00
832	Contingent Open Cut Repair 12LF of 20-24 inch SS Greater Than	10	LF	\$ 1.00	\$ 10.00	\$ 829.00	\$ 8,290.00
834	Contingent Open Cut Repair 12LF of 27 inch SS Less Than or equ	3	EA	\$ 1.00	\$ 3.00	\$ 11,574.00	\$ 34,722.00
835	Contingent Open Cut Repair 12LF of 27 inch SS Greater Than 12	2	EA	\$ 1.00	\$ 2.00	\$ 15,773.00	\$ 31,546.00
836	Contingent Open Cut Repair 12LF of 27 inch SS Less Than or equ	12	LF	\$ 1.00	\$ 12.00	\$ 940.00	\$ 11,280.00
843	Point Repair Using CIPP 8-10" Sanitary Sewer	24	EA	\$ 1.00	\$ 24.00	\$ 2,487.00	\$ 59,688.00
845	Point Repair Using CIPP 8-10" SS Additional FT Greater Than 8 F	50	LF	\$ 1.00	\$ 50.00	\$ 332.00	\$ 16,600.00
847	Point Repair Using CIPP 12-16" Sanitary Sewer	4	EA	\$ 1.00	\$ 4.00	\$ 4,144.00	\$ 16,576.00
851	Point Repair Using CIPP 18-27" Sanitary Sewer	2	EA	\$ 1.00	\$ 2.00	\$ 8,730.00	\$ 17,460.00
854	Contingent Abandon Existing 8"-12" Sewer Main to Manhole	2	EA	\$ 1.00	\$ 2.00	\$ 1,382.00	\$ 2,764.00
860	Contingent Mainline Terminal Cleanout	8	LF	\$ 1.00	\$ 8.00	\$ 4,310.00	\$ 34,480.00
870	Open Cut Point Repair 8 Line FT of 6" Sewer House Connection	220	EA	\$ 1.00	\$ 220.00	\$ 4,807.00	\$ 1,057,540.00
871	Open Cut Point Repair 8 LF FT of 6" Sewer House Connectio Gre	142	EA	\$ 1.00	\$ 142.00	\$ 6,078.00	\$ 863,076.00
872	Contingent Open Cut Repair 8 LF of 6" Sewer House Connector	150	EA	\$ 1.00	\$ 150.00	\$ 4,807.00	\$ 721,050.00
873	Contingent Open Cut Point Repair 8 LF of 6" Sewer House Conn	50	EA	\$ 1.00	\$ 50.00	\$ 6,078.00	\$ 303,900.00
879	Contingent 48" Diameter Precast Sanitary Doghouse Manhole f	40	VF	\$ 1.00	\$ 40.00	\$ 1,437.00	\$ 57,480.00
880	Remove Lamphole and Install 48" Diameter Precast Sanitary M	50	VF	\$ 1.00	\$ 50.00	\$ 1,161.00	\$ 58,050.00
881	Contingent Remove Lamphole and Install 48" Diameter Precast	10	VF	\$ 1.00	\$ 10.00	\$ 1,161.00	\$ 11,610.00
903	Grout and Seal Leak in Manhole Walls	12000	PD	\$ 0.01	\$ 120.00	\$ 12.00	\$ 144,000.00
904	Grout and Seal Leak in Manhole Walls Polyurethane Grout	1200	gal	\$ 0.01	\$ 12.00	\$ 67.00	\$ 80,400.00
906	Repair and Coat Manhole Interior Cementitious	1659	VF	\$ 1.00	\$ 1,659.00	\$ 161.00	\$ 267,099.00
907	Contingent Repair and Coat Manhole Interior Cementitious	450	VF	\$ 1.00	\$ 450.00	\$ 161.00	\$ 72,450.00
920	Contingent Additional Excavation and Manhole Adjustment	200	VF	\$ 1.00	\$ 200.00	\$ 940.00	\$ 188,000.00
				Total	\$ 7,091.43	Total	\$ 10,200,664.00

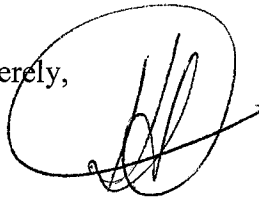
In all likelihood, the Guaranteed Item work and the Non-Contingent Item work will actually be performed, while the Contingent Item work may not. If these Contingent Items are not performed, Metra's bid will not yield the lowest cost to the City. In fact, under that scenario, SAK's cost to the City would be many millions of dollars lower than Metra's cost to the City.

In light of the foregoing, Metra's bid is both mathematically and materially unbalanced. Accordingly, Metra's bid should be rejected.

**III. CONCLUSION**

Baltimore City should reject the bids of Spiniello and Metra on the grounds that they are unbalanced. Baltimore City should award this contract to SAK as the lowest responsive and responsible bidder.

Sincerely,



Kenneth Sorteberg  
Huddles Jones Sorteberg & Dachille, PC  
Attorney on behalf of SAK Construction, LLC

Enclosures

Cc: SAK Construction, LLC

**DEPARTMENT:** Department of Public Works  
**PROPOSAL FOR:** SC 964, Improvements to the Sanitary Sewers in the North West Area of Baltimore City

**OPENING DATE:** **RCV'D:** 01/10/18  
**OPENED:** 01/10/18

Bidder	Address	Bid Amount		Bid Bond	C h k	Check Amount	Date Check Returned	Check Receipt For
		<input checked="" type="checkbox"/> Lump	<input type="checkbox"/> Item					
Pleasants Construction, Inc.	24024 Frederick Rd. Clarksburg, MD 20871	\$	25,893,267.00					
Spiniello Companies	3500 East Biddle St. Baltimore, MD 21213	\$	17,433,000.00					
IPR Northeast	10555 Tucker St. Beltsville, MD 20705	\$	20,196,153.25					
SAK Construction	1405 Benson Court Arbutus, MD 21227	\$	19,385,181.75					
AM-Liner East, Inc.	601 Jack Enders Blvd. Berryville, VA 22611	\$	19,747,791.60					
Metra Industries	50 Muller Place Little Falls, NJ 07424	\$	17,565,679.43					

HJS&D



**EXHIBIT B**

**SC NO. 964 - GUARANTEED ITEMS AND NON-CONTINGENT ITEMS ONLY**

(SAK is lower than Spiniello by \$189,259.25)

Item	Description	QTY	Unit
101	MOB	1	LS
102	Engineer Office	1	LS
103	Maintenance of Traffic	1	LS
116	Clearing and Grubbing	1	LS
118	Selective Tree Felling 12" to 30" Diameter & Greater than 30"	10	EA
123	Allowance for Railroad Permit to Enter Agreement	1	ALL
124	Allowance for BGE & Other Private Utility	1	ALL
125	Allowance for Tree Mitigation	1	ALL
126	Allowance for Exitsing Utility Relocation	1	ALL
127	Allowance for Additional Construction Relate Cost	1	ALL
301	Erosion and Sediment Control	1	LS
501	Removsl of Bituminous Paving Materal 2-inch Dept	7071	SY
503	6 inch Sub Base Using Crusher Run	13276	SY
505	Hot Mix Asphalt Superpave 12.5mm Level for Surface Course	1821	TN
507	Hot Mix Ashalt Superpave 19.0mm Level 2 for Base Course	3348	TN
509	Patching Existing Pavement Using Mix No. 7 Concrete	656	CY
511	Patching Existing Rigid Pavement Using Reinforced Concrete	1054	CY
516	Brick Roadway Pavement Repair	49	SY
601	Curb and Gutter	3228	LF
603	5-inch Concrete Sidewalks	12854	SF
604	5-inch Concrete Sidewalk with Brick or other Surfacing Material	238	SF
607	Detectable Warning Pavers	304	SF
701	Topsoil Furnished and Place at 4 in Depth	6220	SY
702	Seed and Mulching	25720	SY
703	Hydroseeding	400	SY
704	Plant Trees, Shrubs, Vines and Seedling Sock	190	EA
801	Closed Circuit TV Inspection 6"-15"	1690	LF
802	Closed Circuit TV Inspection 18"-30"	325	LF
805	6 inch CIPP Sanitary Sewer	66	LF
806	8 inch CIPP Sanitary Sewer	26200	LF
807	10 inch CIPP Sanitary Sewer	3750	LF
808	12 inch CIPP Sanitary Sewer	2687	LF
809	16 inch CIPP Sanitary Sewer	440	LF
810	18 inch CIPP Sanitary Sewer	904	LF
811	20 inch CIPP Sanitary Sewer	365	LF
812	22 inch CIPP Sanitary Sewer	43	LF

**\$ 13,960,685.00**

Spiniello	
Unit Price	Ext. Price
\$ 1,000,000.00	\$ 1,000,000.00
\$ 46,557.00	\$ 46,557.00
\$ 749,400.00	\$ 749,400.00
\$ 49,800.00	\$ 49,800.00
\$ 750.00	\$ 7,500.00
\$ 200,000.00	\$ 200,000.00
\$ 20,000.00	\$ 20,000.00
\$ 10,000.00	\$ 10,000.00
\$ 300,000.00	\$ 300,000.00
\$ 300,000.00	\$ 300,000.00
\$ 165,000.00	\$ 165,000.00
\$ 17.00	\$ 120,207.00
\$ 1.00	\$ 13,276.00
\$ 80.00	\$ 145,680.00
\$ 200.00	\$ 669,600.00
\$ 800.00	\$ 524,800.00
\$ 300.00	\$ 316,200.00
\$ 200.00	\$ 9,800.00
\$ 33.00	\$ 106,524.00
\$ 10.00	\$ 128,540.00
\$ 55.00	\$ 13,090.00
\$ 35.00	\$ 10,640.00
\$ 7.00	\$ 43,540.00
\$ 1.00	\$ 25,720.00
\$ 1.00	\$ 400.00
\$ 250.00	\$ 47,500.00
\$ 4.00	\$ 6,760.00
\$ 5.00	\$ 1,625.00
\$ 130.00	\$ 8,580.00
\$ 40.00	\$ 1,048,000.00
\$ 45.00	\$ 168,750.00
\$ 52.00	\$ 139,724.00
\$ 91.00	\$ 40,040.00
\$ 98.00	\$ 88,592.00
\$ 125.00	\$ 45,625.00
\$ 280.00	\$ 12,040.00

**\$ 13,771,425.75**

SAK	
Unit Price	Ext. Price
\$ 525,000.00	\$ 525,000.00
\$ 85,000.00	\$ 85,000.00
\$ 285,000.00	\$ 285,000.00
\$ 100,000.00	\$ 100,000.00
\$ 3,300.00	\$ 33,000.00
\$ 200,000.00	\$ 200,000.00
\$ 20,000.00	\$ 20,000.00
\$ 10,000.00	\$ 10,000.00
\$ 300,000.00	\$ 300,000.00
\$ 300,000.00	\$ 300,000.00
\$ 200,000.00	\$ 200,000.00
\$ 16.50	\$ 116,671.50
\$ 16.50	\$ 219,054.00
\$ 248.00	\$ 451,608.00
\$ 221.00	\$ 739,908.00
\$ 660.00	\$ 432,960.00
\$ 715.00	\$ 753,610.00
\$ 330.00	\$ 16,170.00
\$ 44.50	\$ 143,646.00
\$ 13.25	\$ 170,315.50
\$ 60.00	\$ 14,280.00
\$ 45.00	\$ 13,680.00
\$ 23.00	\$ 143,060.00
\$ 9.00	\$ 231,480.00
\$ 17.75	\$ 7,100.00
\$ 470.00	\$ 89,300.00
\$ 2.75	\$ 4,647.50
\$ 5.25	\$ 1,706.25
\$ 150.00	\$ 9,900.00
\$ 38.50	\$ 1,008,700.00
\$ 45.00	\$ 168,750.00
\$ 50.00	\$ 134,350.00
\$ 55.00	\$ 24,200.00
\$ 105.00	\$ 94,920.00
\$ 115.00	\$ 41,975.00
\$ 400.00	\$ 17,200.00



813	24 inch CIPP Sanitary Sewer	60	LF
814	27 inch CIPP Sanitary Sewer	660	LF
816	Reinstatement Sewer House Connection	3925	EA
817	Open Cut Repair 12LF of 8-12 inch SS Less Than or equal 12FT	20	EA
818	Open Cut Repair 12LF of 8-12 inch SS Greater Than 12FT	12	EA
819	Open Cut Repair 12LF of 8-12 inch SS Less Than or equal 12FT ADD	10	LF
820	Open Cut Repair 12LF of 8-12 inch SS Greater Than 12FT ADD	10	LF
833	Open Cut Repair 12LF of 27 inch SS Greater Than 12FT	1	EA
838	8" PVC Sanitary Sewer Replacement	114	LF
839	10" PVC Sanitary Sewer Replacement	50	LF
840	12" PVC Sanitary Sewer Replacement	97	LF
841	15" PVC Sanitary Sewer Replacement	385	LF
842	NOT USED		
843	Point Repair Using CIPP 8-10" Sanitary Sewer	24	EA
845	Point Repair Using CIPP 8-10" SS Additional FT Greater Than 8 FT	50	LF
847	Point Repair Using CIPP 12-16" Sanitary Sewer	4	EA
849	Point Repair Using CIPP 12-16" Sanitary Sewer ADD FT Greater Than	10	LF
851	Point Repair Using CIPP 18-27" Sanitary Sewer	2	EA
855	CCTV Inspection of Lateral (Main to 8')	10	EA
861	Grout (Set Up) For sewer House Connection	1077	EA
863	Non Structural Grout for Sewer House Connection	4308	Gal
865	Structural Grout of Service Connection	243	EA
868	Repair Sewer House Connection By CIPP	198	EA
870	Open Cut Point Repair 8 Line FT of 6" Sewer House Connection Less	220	EA
871	Open Cut Point Repair 8 LF FT of 6" Sewer House Connectio Greater	142	EA
876	48" Diameter Precast Sanitary Manhole for Pipe up to 24"	209	VF
878	48" Diameter Precast Sanitary Doghouse Manhole for pipe up to 24"	20	VF
880	Remove Lamphole and Install 48" Diameter Precast Sanitary Manho	50	VF
882	Type A or B Sanitary Drop Connection	5	EA
884	Install Internal Sanitary Drop Connection	17	EA
885	Locate and Open Manhole	71	EA
887	Replace Manhole Frame and Cover	5	EA
889	Replace Manhole Cover	6	EA
890	Replace Manhole Frame and Cover with Lockable Watertight Frame	6	EA
892	Reset Manhole Frame and Cover	47	EA
894	Provide and Install Manhole Adjustment Rings	58	EA
896	Replace Manhole Step	207	EA
898	External Manhole Frame Seal	92	EA
900	Internal Manhole Frame Seal	198	EA
902	Repair/Rebuild Manhole Brench and Invert Channel	108	EA
903	Grout and Seal Leak in Manhole Walls	12000	PD

\$	280.00	\$	16,800.00
\$	200.00	\$	132,000.00
\$	150.00	\$	588,750.00
\$	8,000.00	\$	160,000.00
\$	10,000.00	\$	120,000.00
\$	480.00	\$	4,800.00
\$	500.00	\$	5,000.00
\$	14,000.00	\$	14,000.00
\$	320.00	\$	36,480.00
\$	320.00	\$	16,000.00
\$	330.00	\$	32,010.00
\$	330.00	\$	127,050.00
		\$	-
\$	2,500.00	\$	60,000.00
\$	400.00	\$	20,000.00
\$	4,500.00	\$	18,000.00
\$	350.00	\$	3,500.00
\$	8,000.00	\$	16,000.00
\$	700.00	\$	7,000.00
\$	550.00	\$	592,350.00
\$	15.00	\$	64,620.00
\$	3,000.00	\$	729,000.00
\$	3,000.00	\$	594,000.00
\$	6,200.00	\$	1,364,000.00
\$	8,200.00	\$	1,164,400.00
\$	1,200.00	\$	250,800.00
\$	1,200.00	\$	24,000.00
\$	1,200.00	\$	60,000.00
\$	3,300.00	\$	16,500.00
\$	2,300.00	\$	39,100.00
\$	1,400.00	\$	99,400.00
\$	1,300.00	\$	6,500.00
\$	500.00	\$	3,000.00
\$	1,500.00	\$	9,000.00
\$	1,200.00	\$	56,400.00
\$	1,100.00	\$	63,800.00
\$	65.00	\$	13,455.00
\$	2,200.00	\$	202,400.00
\$	425.00	\$	84,150.00
\$	850.00	\$	91,800.00
\$	6.00	\$	72,000.00

\$	450.00	\$	27,000.00
\$	135.00	\$	89,100.00
\$	25.00	\$	98,125.00
\$	7,181.00	\$	143,620.00
\$	7,955.00	\$	95,460.00
\$	360.00	\$	3,600.00
\$	470.00	\$	4,700.00
\$	11,836.00	\$	11,836.00
\$	691.00	\$	78,774.00
\$	539.00	\$	26,950.00
\$	567.00	\$	54,999.00
\$	657.00	\$	252,945.00
\$	-	\$	-
\$	2,487.00	\$	59,688.00
\$	332.00	\$	16,600.00
\$	4,144.00	\$	16,576.00
\$	332.00	\$	3,320.00
\$	8,730.00	\$	17,460.00
\$	376.00	\$	3,760.00
\$	442.00	\$	476,034.00
\$	9.00	\$	38,772.00
\$	4,144.00	\$	1,006,992.00
\$	2,487.00	\$	492,426.00
\$	4,807.00	\$	1,057,540.00
\$	6,078.00	\$	863,076.00
\$	1,161.00	\$	242,649.00
\$	1,437.00	\$	28,740.00
\$	1,161.00	\$	58,050.00
\$	4,199.00	\$	20,995.00
\$	1,989.00	\$	33,813.00
\$	1,326.00	\$	94,146.00
\$	1,658.00	\$	8,290.00
\$	442.00	\$	2,652.00
\$	2,431.00	\$	14,586.00
\$	1,824.00	\$	85,728.00
\$	1,824.00	\$	105,792.00
\$	83.00	\$	17,181.00
\$	1,161.00	\$	106,812.00
\$	774.00	\$	153,252.00
\$	940.00	\$	101,520.00
\$	12.00	\$	144,000.00

904	Grout and Seal Leak in Manhole Walls Polyurethane Grout	1200	gal
905	Repair Pipe Seal at Manhole	124	EA
906	Repair and Coat Manhole Interior Cementitious	1659	VF
908	Repair and Coat Manhole Interior Resin	54	VF
911	Heavy Cleaning and Chemical Root Treatment of Manhole	13	EA
913	Rebuild Manhole Wall	38	VF
918	Raise Existing Manhole to/above Grade	17	EA

\$	40.00	\$	48,000.00
\$	80.00	\$	9,920.00
\$	160.00	\$	265,440.00
\$	300.00	\$	16,200.00
\$	650.00	\$	8,450.00
\$	450.00	\$	17,100.00
\$	2,000.00	\$	34,000.00
Total		\$	<b>13,960,685.00</b>

\$	67.00	\$	80,400.00
\$	774.00	\$	95,976.00
\$	161.00	\$	267,099.00
\$	288.00	\$	15,552.00
\$	277.00	\$	3,601.00
\$	442.00	\$	16,796.00
\$	1,603.00	\$	27,251.00
Total		\$	<b>13,771,425.75</b>



## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

President: The next item on the non-routine agenda can be found on page 109 - items 1 and 2, Department of Public Works, Recommendation for Contract Award SC - 964, Improvement to the Sanitary Sewers in the Northwest Area of Baltimore City. Will the parties please come forward?"

Mr. Carlos Stevenson: "Good morning, Mr. President, Madam Mayor, and the Honorable Board of Estimates. My name is Carlos Stevenson, I am an Engineer II in the Department of Public Works, Office of Engineering and Construction. This project, Sanitary Contract 964, Improvements to the Sanitary Sewers in the Northwest Area of Baltimore City, was advertised on November 24, 2017. Bids were received um -- um -- I'm sorry, bids were opened and received on January 10, 2018. The Engineer's Estimates for this proj -- I'm -- sorry, I missed a set. In total, six bids were received. The Engineer's Estimate for this project was \$19,144,340.00. The lowest bidder, Spiniello Company uh -- bid -- bids was \$17,433,000.00. Um -- my team and I analyzed the bids that were received and um -- our review indicated that the low bidder was

## MINUTES

responsive and reasonable um --. The agency believes that this is in the best interest of the citi -- citizens of Baltimore and the City uh -- and recommend award of this contract to Spiniello Companies."

President: "Uh -- you coming up?"

Mr. Jack Boatman: "Good morning, Mr. President, Honorable Mayor, and Board. My name is Jack Boatman and I am Senior Vice President with SAK Construction and I would like to just give a two minute briefing on who we are and where we are and Mr. Sorteberg will talk about the irregularities, we feel that occurred in this bid. We moved to the Baltimore area, SAK uh -- office here about five, six years ago. We're currently headquartered out of the St. Louis area. But, we decided that to operate on the East Coast, this was the best location. We did not just move in and start bidding, we moved in and started becoming a great citizen of the neighborhood. We do workshops for employees. We also get involved in recruiting minority and women-owned businesses. We also perform workshops pro-bono for the minority and women contractors in estimating and safety so that they can get their certifications. Not only that, but we support all of the -- a lot of the community-based

## MINUTES

organizations and that is why I wanted to introduce myself and my company to those who do not know us. We are not unfamiliar to the City. We have been working here, like I said, for five or six years. The other program that we have already started to work on because um -- being familiar with ex-offenders and out of our headquarter's office, we pioneered a program that certainly takes some of the ex-offenders and work them back into the work force. Now, we know that there is high risk in some of that, but, we also know it is also necessary. That is our DNA. I get up every morning trying to figure out how do I make a difference and how do we make a difference in the neighborhoods. I am seventy-five years old, can retire anytime and could've retired anytime. But, my goal in life is to make sure that those kinds of, things are taken care of and when this bid came up and we saw irregularities in it, yes we're here to protest it. But, I want to let you know that regardless of the outcome, we're here to stay and regardless of the outcome, we'll continue to move forward as good corporate citizens. So, that is a little bit about who SAK is. You can certainly Google us and see who we are a little further. But, I would like for Mr. Sorteberg to talk about why we protested this bid and we're are simply asking that it be reconsidered and reviewed again."

## MINUTES

Mr. Kenneth Sorteberg: "Good morning, Board members. My name is Ken Sorteberg um -- we're here to protest the award of uh -- this SC 964 contract uh -- to anyone but SAK Construction LLC., as the lowest responsible and responsive bidder. Um -- the issue before us is unbalanced bids and I think um -- that from what I seen and heard um -- this is an issue that is prevalent in -- in bidding in Baltimore City and -- and I think it is important that attention be paid to it and that the issue be addressed. Um -- if we don't succeed on this bid protest, we certainly wanted to keep it on your radar screen because it is an issue that um -- is detrimental to government contracting. Um -- the -- the basis for where we're coming from is the Green Book um -- the Baltimore City specifications. There are several sections that deal with unbalanced bids. One of them is Section 002113.11 and, the other one is 005100.05 and I will quote from the second -- the um -- the latter section. It said, and this is in the Green Book, 'to better ensure fair competition and to permit a determination of the lowest bid. Unbalanced bids may be rejected by the Board of Estimates, at its sole discretion.' So, you have the discretion and the power. It is not mandatory, but you may, if you feel this egregious to reject unbalanced bids. So, here is Spiniello with a low bidder,

## MINUTES

Metra's was the second bidder, and SAK was the third low bidder. However, both Spiniello's bid and Metra's bid were materially unbalanced. So, we are asking the Board to reject those two bids and accept SAK's bid. So, what is an unbalanced bid? Alright um - - um -- a bid can be unbalanced in two ways. One, a bid can be front-end loaded and what do that mean? Well, the Maryland Law on that and if the appeal of Plastek Enterprises Inc. um -- it said the case -- said if there appears to be material front-end loading. This is a quote from the case, which places unreasonably high cost on early payment items potentially leaving insufficient funds if the contractor should default or fail to perform later in the job, then the State may reject the bid on the grounds that the bidder is not responsible. So, that is front-end loading, and both Spiniello's and - Metra's bids are guilty of front end loading. Each of them has placed a \$1,000,000.00 cost on bid items no. 101 from mobilization and we all know that the very thing that happens on the job is mobilization. So, right off the bat if they are mobilized, they collect a \$1,000,000.00 they can bill for it. Um -- by contrast, SAK's bid has \$525,000.00 for mobilization um -- certainly the um -- the -- the City can look at the Engineer's

## MINUTES

Estimate. I was not privy to it. But I'm sure the Engineer's Estimate had a reasonable number for mobilization. Basically uh - - each of the Spiniello and Metra's are taking an additional \$500,000.00 right off the top and putting it in their pocket so that they have it and that is as the case of Plastek Enterprises said it -- it can be detrimental to the government who is paying out monies, too much money in advance and up front. But, secondly the other reason a bid can be unbalanced, it can be mathematically unbalanced and there is Maryland Law on that it is the case of Powell Foundation Construction. Basically, a math and this is a quote, the mathematically unbalanced bid is one in which the bid contains understated and overstated unit prices. The bid is material unbalanced, if there is a reasonable doubt that an award to the contractor would not result in the lowest ultimate cost to the government. So, here Spiniello's bid contains both drastically overstated and drastically understated pricing; and what's interesting is that the overstated pricing is for certain guarantee and non- contingent items. Whereas, the understated pricing is for contingent items. So, what's happening here is the contractor playing games with the unit prices and there is a lot of unit

## MINUTES

prices in this contract. Spiniello has overstated its pricing for the guarantee and non-contingent items by nearly \$1.5 million dollars. These are high likelihood contract items that are -- that are high likelihood that they will be performed on the project whereas, on the other hand, for the contingent items which are low likelihood of -- of its contingent so it may not happen. They have understated the pricing by \$1.6 million dollars. So, what's happening here is that Spiniello is gambling over \$1.6 million dollars that this contingent item work will never happen. That is what going on here. So, now you gotta to look at it. What happens if that non-contingent -- if the contingent work does not take place, doesn't come to fruition? Well, in that case, SAK's cost to the City would be \$189,000.00 lower than Spiniello's cost to the City for this project. So there's uh -- and if you -- you throw out the -- the -- um -- contingent items that they are gambling on; they don't think we come to fruition it they don't come to fruition, then we would be the low bidder and that is what you have to look at under Maryland Law. Metra's bid is even more egregious. Um -- Metra's has overstated its pricing for guarantee and non-contingent items by \$8.5 million dollars and they have

## MINUTES

understated the contingent items by over \$10,000,000.00. So, they're really playing games. In essence, Metra's is gambling over \$10,000,000.00 that this contingent item work will never come to fruition and if it doesn't, they are going to make a windfall. Um -- if you look at the -- the numbers compared to SAK, then under the scenario, -- if the contingent items don -- don't actually happen and that is why they're called contingent because it is low-likelihood that they're going to happen. It's just in case money. Well, if that doesn't happen, then SAK's cost to the City would be many millions of dollars lower than Metra's cost to the City. So, I hope you have an understanding of -- of what our unbalanced bids are, how it can be detrimental to the City and as I have explained here, SAK bids is -- is not unbalanced and it would yield the lowest price to the City if --- if the contingent item don't take place and in light of the foregoing um -- you should reject both Spiniello's bid and Metra bids."

President: "Metra's is not in it. So its just Spiniello."

Mr. Sorteberg: "Okay."

President: "You and Spiniello."

Mr. Sorteberg: "Gotcha. Okay. Then I won't waste time on Metra. Well, that's it. So, we ask you to reject those two bids and award the contract to SAK as the lowest responsive and responsible bidder or in the alternative, rebid the project. Thank you."



## MINUTES

Mr. Boatman: "And we appreciate your review and appreciate your time. Thank you very much."

President: "Anybody have anything to say about that"?

Mr. Michael Mullen: "Good morning, Madam Mayor, Mr. President, Madam Comptroller, members of the Board. Um -- Michael Mullen from the Law Department. All I would like to say briefly is that the Board has full authority to accept an unbalanced bid just as you have authority to reject it. The task before you is to listen to the technical presentation to determine whether this will -- really -- will result in the lowest bid to the City and whether its in the City's best interest. Mr. Stevenson and the outside Consultant have looked very carefully at all the prices. They are here prepared to answer any questions that you may have to address there are issues that have been raised by the protester. Mr. Stevenson is here to present, with the Board's permission."

Mayor: "Can you just address the contingency piece upfront?"

Mr. Stevenson: "As far as contingent items um -- the lowest bidder is assuming risk that we are not going to use the contingent items -- but our experience in previous contract shows that um -- with the unknown conditions of the utility -- that there is a higher

## MINUTES

likelihood that we would use the contingent items. Um -- we did conduct an analysis of the bids associated with twenty -- I'm sorry -- let me if fifty, seventy-five and ninety percent of the contingent items were used in all of those analysis Spiniello was still the lowest bidder with --"

City Solicitor: "It would only --"

Mr. Stevenson: "--of the total contract."

City Solicitor: "It would only be if 100 percent of the contingencies were realized would SAK squeak under Spiniello correct?"

Mr. Stevenson: "Correct."

Mr. Mullen: And that would be \$189,000.00 difference with no contingencies."

Mayor: "Okay."

President: "Alright. Um -- as long as we don't come back with any um -- cost -- overruns, I am okay. No Extra Work Orders --"

Mayor: "Right."

President: "They bid the project and they have to stand by what they bid."

Mr. Stevenson: "Um -- I am confident that me and my team can hold their feet to the fire, as far as all bid items are concerned".

## MINUTES

President: "I'm going to call you back here."

Mr. Stevenson: "That is way above my pay grade to --"

President: "I'm going to call you back --"

Mr. Stevenson: " -- to assure that will be no cost override. I --  
I --"

Mayor: "So who should be addressing this?"

Mr. Stevenson: "There will be no cost overrun."

Mr. Stevenson: "I am not able to see into the future."

President: "I'm -- I'm going to call you back or Rudy Chow is going to have to explain something because I don't want to see no cost overruns."

Mr. Stevenson: "I understand Sir and I will --."

President: "I will entertain the Motion."

City Solicitor: "Mr. President, uh -- I-- I know I speak for the entire Board in welcoming SAK as a citizen of our great City and we appreciate their work, but on the basis of the facts, and the -- the controlling standards on recommendation of counsel, I move that the bi -- bid be awarded as recommended and that the protest be rejected."

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY."

\* \* \* \* \*

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Bureau of Procurement

3. B50005253, Mauldin            George Associates,            \$250,000.00  
     Construction                Inc.  
     Equipment - O.E.M.  
     Parts, Warranty and  
     Service

(Dept. of General Services -  
 Fleet Management)

**MBE/WBE PARTICIPATION:**

On January 10, 2018, MWBOO issued a waiver based on no availability of MBE/WBE providers to supply O.E.M. parts, warranty and repairs.

**MWBOO GRANTED A WAIVER.**

4. B50005368, Sixteen            Peterbuilt of            \$4,162,490.00  
     Cubic Yard Load                Baltimore, LLC  
     Packers

(Dept. of General Services -  
 Fleet Management)

**MBE/WBE PARTICIPATION:**

On May 15, 2017, MWBOO determined that no goals would be set because of no opportunity to segment the contract. This is for the purchase of commodities from an authorized heavy equipment dealer which is required to provide associated pre-delivery inspection and warranty repairs.

**MWBOO GRANTED A WAIVER.**

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Bureau of Procurement - cont'd

5. B50005352, Various Oils and Lubricants      Tilley Chemical Co., Inc.      \$1,652,481.45

Petrochoice, LLC

The Baltimore Auto Supply Company

(Dept. of General Services - Fleet Management)

**MBE/WBE PARTICIPATION:**

On March 8, 2018, MWBOO determined that no goals would be set because no opportunity to segment the contract. This contract is for the purchase of the following commodities: various oils and lubricants. No services are being provided under this contract.

**MWBOO GRANTED A WAIVER.**

6. B50005285, Automotive Transmission Repair Service      Holabird Enterprises of Maryland      \$2,000,000.00

(Dept. of General Services - Fleet Management)

**MBE/WBE PARTICIPATION:**

On March 8, 2018, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

**MWBOO GRANTED A WAIVER.**

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Department of General Services

7. GS 14818, Roof Replacement  
Engine Co. 46

**REJECTION** - On April 18, 2018 the Board opened one bid for GS 14818. The bid was well beyond the acceptable cost range for the project. The Department determined that it is in the best interest of the City to reject the bid and decide on the best course of action to proceed with the project in the near future.

**MINUTES**Department of Transportation (DOT) - Developers' Agreements

The Board is requested to approve and authorize execution of the various Developers' Agreements.

	<u>DEVELOPER</u>	<u>NO.</u>	<u>AMOUNT</u>
1.	<b>BCP INVESTORS II, LLC</b>	<b>1297-A</b>	<b>\$167,420.00</b>

The Developer would like to install Roadway and Streetscape improvements to its proposed new building located at 3901 Boston Street, Baltimore, MD 21224. This agreement will allow the organization to do its own installation in accordance with Baltimore City Standards.

A Performance Bond in the amount of \$167,420.00 has been issued to BCP Investors II, LLC, which assumes 100% of the financial responsibility.

2.	<b>NICK ARGETAKIS</b>	<b>1543</b>	<b>\$ 28,900.30</b>
----	-----------------------	-------------	---------------------

Mr. Argetakis desires to upgrade an existing water service to the renovation of his building located at 1633 Fleet Street. This agreement will allow the developer to do its own installation in accordance with Baltimore City Standards.

An Irrevocable Letter of Credit in the amount of \$28,900.30 has been issued to Mr. Argetakis, and he assumes 100% of the financial responsibility.

**MBE/WBE PARTICIPATION:**

City funds will not be utilized for the projects. Therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the above-listed Developers' Agreements.

**MINUTES**Department of Transportation - Minor Privilege Applications

The Board is requested to approve the following applications for the Minor Privilege Permit. The applications are in order as to the Minor Privilege Regulations of the Board and the Building Regulations of Baltimore City.

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 2307 E. Monument St.	Mor Niang	Flat sign 14' x 1.5'
\$105.60 - Flat Charge		
2. 4015 Foster Ave.	GC4015, LLC	Steps and landing 8'9" x 6'3", one awning 5'6" x 4'
\$421.80 - Flat Charge		

Since no protests were received, there are no objections to approval.

UPON MOTION duly made and seconded, the Board approved the above-listed Minor Privilege Permit Applications.



**MINUTES**

Office of the State's Attorney (OSA) - Consultant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Consultant Agreement with Semantic Research, Inc. (SRI). The period of the agreement is April 1, 2018 through September 30, 2018, with an option to renew for two additional 3-months at the sole discretion of the SAO.

**AMOUNT OF MONEY AND SOURCE:**

\$155,832.00 - 4000-412818-1150-118000-605008

**BACKGROUND/EXPLANATION:**

The State of Maryland - Governor's Office of Crime Control and Prevention awarded a grant entitled Reducing Violent Crime to the OSA, which was approved on February 14, 2018 by the Board. The grant program improves the ability to analyze, map and target opioid trafficking and prosecute repeat violent offenders. The SRI will provide licenses, software maintenance, integration support and training to the OSA for the Semantic PRO software.

This request is late because the memorandum of understanding was recently completed.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE****AUDITS HAS REVIEWED AND HAS NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Consultant Agreement with Semantic Research, Inc.

**MINUTES**

Bureau of the Budget and Management Research (BBMR) - Grant Award and Appropriation Adjustment Order No. 57

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of a Grant Award from the Maryland Department of Health for the Implementation of Child Lead Poisoning Prevention. The period of the Grant Award is December 1, 2017 through June 30, 2018.

The Board is further requested to approve the Appropriation Adjustment Order No. 57 to transfer Federal Funds within the Health Department from Services 720: HIV Treatment Services for the Uninsured to Service 305: Healthy Homes.

**AMOUNT OF MONEY AND SOURCE:**

The grant is in the amount of \$219,170.00 and will require the following transfer:

\$219,170.00 - From: 4000-484718-3023-718000-603050  
                                 Service 720 - HIV Treatment Services  
   for the Uninsured

To: 5000-508218-3031-579200-404001  
                                 Service 305 - Healthy Homes

**BACKGROUND/EXPLANATION:**

This grant will be used to improve health outcomes and reduce disparities for eligible children with either blood lead exposure, moderate to severe persistent asthma, or both by building environmental case management Community Health Worker capacity.

This request is late because of delays in the administrative process.

**MBE/WBE PARTICIPATION:**

N/A

**MINUTES**

BBMR - cont'd

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved acceptance of the Grant Award from the Maryland Department of Health for the Implementation of Child Lead Poisoning Prevention. The Board further approved the Appropriation Adjustment Order No. 57 to transfer Federal Funds within the Health Department from Services 720: HIV Treatment Services for the Uninsured to Service 305: Healthy Homes.

**MINUTES**

Bureau of the Budget and          - Grant Award and Appropriation  
Management Research (BBMR)      Adjustment Order No. 70

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of the Second and Third Notices of Grant Award from the Maryland Department of Aging for the Senior Assisted Living Group Home Subsidy for the Health Department. The period of Notices of Grant Award is July 1, 2017 through June 30, 2018.

The Board is further requested to approve the Appropriation Adjustment Order No. 70 transfer Federal Funds within the Health Department from Services 715: Administration to Service 724: Direct Care and Support Planning.

**AMOUNT OF MONEY AND SOURCE:**

\$212,234.00 - From: 4000-400018-3001-568000-603050  
   Services 715 - Administration

  To: 5000-534018-3254-767800-603051  
   Service 724 - Direct Care and Support Planning

**BACKGROUND/EXPLANATION:**

On October 4, 2017, the Board approved the original Grant Award in the amount of \$331,444.00 for the period of July 1, 2017 through June 30, 2018. The approved Grant Award also had cumulative Grant Award (to date) in the amount of 761,456.00.

On October 13, 2017, the Department received a second Notice of Grant Award from the Maryland Department of Aging. This was to correct an error in the cumulative grant award to change the amount from \$761,456.00 to \$331,444.00. The second Notice of Grant Award is now being submitted for the Board's approval.

On February 9, 2018 the Department received a third Notice of Grant Award to add additional funds in the amount of \$98,567.00 to make the total grant, award \$430,011.00, which is now being submitted for the Board's approval.

**MINUTES**

BBMR - cont'd

The Second and Third Notice of Grant Award are late because of delays in the administrative process.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved acceptance of the Second and Third Notices of Grant Award from the Maryland Department of Aging for the Senior Assisted Living Group Home Subsidy for the Health Department. The Board further approved the Appropriation Adjustment Order No. 70 to transfer Federal Funds within the Health Department from Services 715: Administration to Service 724: Direct Care and Support Planning.

**MINUTES**

Bureau of the Budget and                    - Grant Award and Appropriation  
Management Research (BBMR)      Adjustment Order No. 76

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of a Grant Award from the Department of Health and Mental Hygiene through the Behavioral Health Administration, Substance Abuse and Mental Health Services Administration. The period of the Grant Award is January 1, 2018 through June 30, 2018.

The Board is further requested to approve the Appropriation Adjustment Order No. 76 to transfer Grant Funds within the Health Department from Service 602: Land Suppression to Service 609: EMS Administration.

**AMOUNT OF MONEY AND SOURCE:**

The Grant Award is in the amount \$157,533.00 and will require the following transfer:

\$157,533.00 - From: 1001-000000-2121-226400-600000  
                                    Service 602 - Land Suppression for the  
                                    Uninsured

                                    To: 4000-419718-3191-308700-604012  
                                    Service 609 - EMS Administration

**BACKGROUND/EXPLANATION:**

The Department will be able to purchase 3,584 supplemental naloxone doses for use by BCFD Emergency Medical Services (EMS) in the pre-hospital setting and 3,000 units of carbon copy paper for consent/checklist documentation. The grant also will cover the cost of training BCFD Advance Life Support paramedic staff on the EMS related aspects of the Stabilization Center medical and alternative destination protocols.

**MINUTES**

BBMR - cont'd

The Grant Award is late because of delays in the administrative process.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved acceptance of the Grant Award from the Department of Health and Mental Hygiene through the Behavioral Health Administration, Substance Abuse and Mental Health Services Administration. The Board further approved the Appropriation Adjustment Order No. 76 to transfer Grant Funds within the Health Department from Service 602: Land Suppression to Service 609: EMS Administration.

**MINUTES**

Bureau of the Budget and   - Grant Award and Appropriation  
Management Research (BBMR)   Adjustment Order No. 77

---

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of a Grant Award from the Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services for the Health Department. The period of the Grant Award is December 1, 2017 through September 30, 2019.

The Board is further requested to approve the Appropriation Adjustment Order to transfer Grant Funds within the Health Department from Service 720: HIV Treatment Services for the Uninsured to Service 308: Maternal and Child Health.

**AMOUNT OF MONEY AND SOURCE:**

The Grant Award is in the amount \$100,000.00 and will require the following transfer:

\$100,000.00 - From: 4000-484718-3023-718000-603050  
  Service 720 - HIV Treatment Services  
  for the Uninsured

To: 5000-507718-3080-294300-405001  
  Service 308 - Maternal and Child Health

**BACKGROUND/EXPLANATION:**

The purpose of this grant is to have the Baltimore City Infants and Toddlers Program and Baltimore City Schools collaboratively consider specific goal(s) for implementation in response to data identified priority need(s) and professional learning need(s), including coaching that is necessary to operationalize the implementation plan.

The overall goal is the implementation of evidence-based practices, including an evidence-based approach to professional learning for Baltimore City's Early Intervention System.



**MINUTES**

BBMR - cont'd

The Grant Award is late because of delays in the administrative process.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved acceptance of the Grant Award from the Maryland State Department of Education, Division of Special Education/Early Intervention Services for the Health Department. The Board further approved the Appropriation Adjustment Order No. 77 to transfer Grant Funds within the Health Department from Service 720: HIV Treatment Services for the Uninsured to Service 308: Maternal and Child Health.

**MINUTES**

Bureau of the Budget and            - Grant Award  
Management Research (BBMR)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of a Grant Award from United States Department of Justice to the Office of the State's Attorney's for Baltimore City Service 115: Prosecution of Criminals. The period of the Grant Award is February 1, 2018 through September 30, 2019.

**AMOUNT OF MONEY AND SOURCE:**

\$58,500.00 - appropriation for FY 18 - This amount will be placed in Federal fund detailed number 419618. No appropriation adjustment action is required by the Board.

**BACKGROUND/EXPLANATION:**

This is a cooperative effort between the Office of the State's Attorney's for Baltimore City, the Mid-Atlantic Innocence Project and the University of Baltimore. These parties will work together to operate the Baltimore City Wrongful Conviction Review Program, to enhance the identification and investigation of wrongful conviction claims in Baltimore City and provide quality representation to those who may have been wrongfully convicted through increased collaboration and communication between the attorney litigating the case and the prosecutors considering their request. The full award amount of \$126,281.00 will be spent over two fiscal years.

The Grant Award is late because of administrative delays.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

**MINUTES**

BBMR - cont'd

UPON MOTION duly made and seconded, the Board approved acceptance of the Grant Award from United States Department of Justice to the Office of the State's Attorney's for Baltimore City Service 115: Prosecution of Criminals.

## MINUTES

Police Department - Grant Adjustment Notices (GAN)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of four GANs from the Maryland Emergency Management Agency for the FY 2015 Urban Area Security Initiative Grant. The final GAN extends the period of this award through April 30, 2018.

**AMOUNT OF MONEY AND SOURCE:**

Project	Account Number	Original Funding	New Funding	Difference
Mass Care Shelter Supplies	4000-481216-2023-212600-600000	\$ 17,425.00	17,425.00	
Alternate Care Sites	4000-481216-2023-212601-600000	51,000.00	51,000.00	
Emergency Alert & Notification System	4000-481216-2023-212602-600000	100,000.00	100,000.00	
Incident Mgmt. Software	4000-481216-2023-212603-600000	12,000.00	1,051.54	(\$10,948.46)
Mobile Command Comm. Vehicle	4000-481216-2023-212604-600000	16,500.00	16,500.00	
Regional Emergency Planners	4000-481216-2023-212605-600000	210,000.00	202,511.95	( 7,488.05)
UAWG Support	4000-481216-2023-212606-600000	236,900.00	236,900.00	
Urban Search & Rescue	4000-481216-2023-212607-600000	400,780.00	400,780.00	
HAZMAT Prevention	4000-481216-2023-212608-600000	35,716.00	35,716.00	
Law Enforcement	4000-481216-2023-212609-600000	115,914.00	115,914.00	
Closed Circuit TV	4000-481216-2023-212610-600000	320,000.00	320,000.00	
Incident Mgmt. Team	4000-481216-2023-212611-600000	19,000.00	19,000.00	
Planning	4000-481216-2023-212612-600000	100,000.00	60,122.00	( 39,878.00)
Critical Infrastructure Access Control	4000-481216-2023-212613-600000	4,575.00	4,575.00	
<b>Total Amount</b>		<b>\$1,639,810.00</b>	<b>\$1,581,495.49</b>	<b>(\$58,314.51)</b>

**MINUTES**

Police Department - cont'd

**BACKGROUND/EXPLANATION:**

On January 27, 2016, the Board approved acceptance of an award in the amount of \$1,654,810.00 from the Maryland Emergency Management Agency. On July 26, 2017, the Board approved acceptance of a GAN reducing the funding to \$1,639,810.00 and extending the period of the GAN through January 31, 2018.

The Award No. EMW-2015-SS-00077/UASI decreased the total funding by \$58,314.51. GAN No. 2 decreased the funding by \$10,948.46. GAN No. 3 decreased the funding by \$7,488.05. GAN No. 4 decreased the funding by \$39,878.00. The final GAN extended the period of the award through April 30, 2018.

The FY15 Urban Area Security Initiative is intended to facilitate and strengthen the nation and Maryland against risks associated with potential terrorist attacks while concentrating on developing integrated systems for prevention, protection, response, and recovery.

This GAN is late because the award documents were recently received.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved acceptance of four Grant Adjustment Notices from the Maryland Emergency Management Agency for the FY 2015 Urban Area Security Initiative Grant.

**MINUTES****CITY COUNCIL BILLS:**

18-0193 - An Ordinance concerning Food Desert Incentive Areas - Expenditure Requirements for Tax Credit for the purpose of establishing a new minimum expenditure requirement for substantially renovated supermarkets that is lower than the expenditure requirement for newly constructed supermarkets; and generally relating to the qualifications for a tax credits granted to certain supermarkets in a Food Desert Incentive Area.

**ALL REPORTS RECEIVED WERE FAVORABLE.**

18-0201 - An Ordinance concerning Waterfront Management District - Exemption from Supplemental Tax for the purpose of allowing the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District.

The Waterfront Management District and Management Authority was created by Ordinance 07-0417, pursuant to authorization from the Maryland General Assembly that allowed the City to create community benefits districts. See 1994 Md. Laws ch. 732, codified in City Charter, Art. II, §63 City Code. The law enacted to create the district is codified in Art. 14, Subtitle 8 of the Baltimore City Code. Sec. 8-8 provides for certain exemptions from the supplemental tax established by the law. This bill would create an additional exemption for properties containing 4 or fewer units, with a nonresidential use on the ground or first level only, if exempted by the Authority in accordance with guidelines approved by the Authority and the Board of Estimates.

After reviewing the authorizing provisions and the Code provisions, the Law Department has determined that this proposed exemption unlawfully delegates legislative authority to another

**MINUTES****CITY COUNCIL BILLS:**

18-0201 - cont'd

body. By allowing the Authority and the Board of Estimates to decide which properties will be exempted, without providing sufficient standards to guide the discretion of those bodies, the bill unlawfully delegates legislative authority given to the City Council in Art. II, Sec. 63. "The rule is plain and well established that legislative or discretionary powers or trusts devolved by law or Charter in a council or governing body cannot be delegated to others, but ministerial or administrative functions may be delegated to subordinate officials." City of Baltimore v. Wollman, 123 Md. 310, 315, 91 A. 339 (1914).

Law Department Amendment

On page 2, strike lines 3-6 and substitute:

(iii) Properties containing 4 or fewer residential units, with a non-residential use on the ground or first level only, provided that the non-residential use is operated by the owner of the property who also occupies the residential part of the property or a unit therein as their primary residence. The Authority, with the approval of the Board of Estimates, shall adopt regulations setting forth the documentation needed to prove primary residency on the property and ownership of the business establishment on the property.

**THE LAW DEPARTMENT IS FAVORABLE WITH THE AMENDMENT.**

**THE DEPARTMENT OF PLANNING DEFERS TO THE BALTIMORE DEVELOPMENT CORPORATION.**

**ALL OTHER REPORTS RECEIVED WERE FAVORABLE.**

**MINUTES****CITY COUNCIL BILLS:**

18-0208 - An Ordinance concerning Sale of Property - Former Bed of Eastbourne Avenue and 10-foot Alley for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former bed of Eastbourne Avenue, extending Westerly 284 feet, more or less, from a 10-foot alley, to the westernmost extremity of it, and a 10-foot alley, extending Westerly 56.4 feet, more or less, from Elrino Street and no longer needed for public use; and providing for a special effective date.

The Law Department has reviewed City Council Bill 18-0208 for form and legal sufficiency. The bill would allow the City to sell its interest in Eastbourne Avenue and a 10-Foot Alley, declaring them no longer needed for public use. The sale will be subject to a full width perpetual easement for utilities and services.

Section 5(b) of Article V of the City Charter grants the Department of Real Estate in the Comptroller's Office the power to sell any interest in property that the Mayor and City Council deems, by Ordinance, no longer needed for public use, if that sale is approved by the Board of Estimates.

Law Department Amendment

There was a typographical error: "284 feet" should be changed to "184 feet" in every instance.

**THE LAW DEPARTMENT IS FAVORABLE, WITH THE AMENDMENT.**

**ALL OTHER REPORTS RECEIVED WERE FAVORABLE.**

UPON MOTION duly made and seconded, the Board approved City Council Bill Nos. 18-0193, 18-0201, 18-0201, and 18-0208 and referred it to the City Council with the recommendation that it be approved and passed by that Honorable Body. The President **ABSTAINED**.



**MINUTES**

Bureau of the Budget and Management Research (BBMR) - FY 2019 Budget & Property Tax  
Surcharge Rate - Charles Village  
Benefits District

---

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Charles Village Community Benefits District (CVCBD) FY 2019 budget and property tax surcharge rate.

**AMOUNT OF MONEY AND SOURCE:**

The proposed FY 2019 property tax surcharge rate is \$0.125 per \$100.00 of assessable value. The surcharge rate is the same as it was for FY 2018.

**BACKGROUND AND EXPLANATION:**

The Board of Estimates has the authority to approve the annual financial plans and surcharge tax rate for the CVCBD. The CVCBD has submitted its plan for FY 2019. Property owners in the CVCBD will pay the same surcharge rate of \$0.125 per \$100.00 of the assessed value.

The Fiscal 2019 estimated surcharge tax revenues have increased 3% or \$19,842.00 to \$790,804.00 compared to Fiscal 2018. The CVCBD will augment this revenue with \$145,340.00 of contributions from the Johns Hopkins University and other tax-exempt properties, and \$23,380.00 of program revenue. Under these agreements, the CVCBD will provide safety patrols, sanitation services (bulk trash removal and rat abatement), and other services.

The CVCBD has taken positive steps to achieve the benchmark of accumulating a reserve fund equal to three months of expenses. As of the end of April 2018, the organization's reserve balance increased to \$170,424.00, which represents two months of expenditures. The CVCBD expects to increase its reserve to \$190,000.00 by the end of Fiscal 2019 by applying savings from a new security contract.

The Finance Department recommends that the Board of Estimates approve the CVCBD proposed budget and surcharge rate for Fiscal 2019.

## MINUTES

Charles Village Community Benefits District Budget for FY 2018 - 2019											
Income/Expense	FY'19 Proposed Budget	Admin. Allocation	%	Sanitation Allocation	%	Safety Allocation	%	Outreach Allocation	%	FY'18 Budget	Variance FY19-FY18 Budgets
<b>ANTICIPATED INCOME</b>											
Property Tax Surcharge - current year	790,804	44,899	6.0%	427,680	49.0%	304,673	43.0%	13,552	2.0%	770,962	19,842
Property Tax Surcharge - recover from prior years	50,000	3,000	6.0%	24,500	49.0%	21,500	43.0%	1,000	2.0%	25,000	25,000
Exempt Property Contributions	145,340	8,720	6.0%	71,217	49.0%	62,496	43.0%	2,907	2.0%	139,340	6,000
<i>Johns Hopkins University</i>	68,340									68,340	0
<i>All others</i>	77,000									71,000	6,000
Grants										25,000	-25,000
<i>Goldseker Foundation Public SafetyProject</i>										25,000	-25,000
Program Revenue	23,380			6,000		17,380				51,000	-27,620
<i>JHU - HCPI North Charles Street Safety Alliance</i>	17,380									45,000	-27,620
<i>CSX - sanitation services</i>	2,700									2,700	0
<i>Barrus Group Inc.. - Vineyard Reading Garden</i>	1,200									1,200	0
<i>Miscellaneous Fee for Service (AIA, CVCA, OGCA etc)</i>	2,100									2,100	0
<b>Total Anticipated Income</b>	<b>1,009,524</b>	<b>56,620</b>	<b>5.6%</b>	<b>529,397</b>	<b>52%</b>	<b>406,049</b>	<b>40%</b>	<b>17,459</b>	<b>2%</b>	<b>1,011,302</b>	<b>-1,778</b>
<b>ANTICIPATED EXPENSES</b>											
<b>Personnel Expenses: Compensation</b>											
Salaries/wages (all F/T and P/T regular staff)	407,630	38,456	9%	315,732	77%	41,717	10%	11,725	3%	402,666	4,964
Contract Labor (Security Guards & Director of Safety)	297,500					297,500	100%			295,070	2,430
<i>Wolf Professional Security (guards &amp; vehicle)</i>	221,000									216,320	4,680

## MINUTES

Director Safety	76,500									76,500	0
<b>Subtotal Compensation</b>	<b>705,130</b>	<b>38,456</b>	<b>5.5%</b>	<b>315,732</b>	<b>44.8%</b>	<b>339,217</b>	<b>48.1%</b>	<b>11,725</b>	<b>1.7%</b>	<b>697,736</b>	<b>7,394</b>
<b>Personnel Expenses: Benefits</b>											
Payroll Taxes	39,000	3,679	9.4%	30,208	77.5%	3,991	10.2%	1,122	2.9%	40,267	-1,267
Workers' Comp. Insurance	14,500	791	5.5%	6,493	44.8%	6,976	48.1%	241	1.7%	34,700	-20,200
Payroll Service Fees	5,500	519	9.4%	4,260	77.5%	563	10.2%	158	2.9%	5,500	0
Health Insurance	66,000	6,226	9.4%	51,121	77.5%	6,754	10.2%	1,898	2.9%	66,000	0
<b>Subtotal Benefit</b>	<b>125,000</b>	<b>11,215</b>		<b>92,081</b>		<b>18,284</b>		<b>3,420</b>		<b>146,467</b>	<b>-21,467</b>
<b>Subtotal Personnel</b>	<b>830,130</b>	<b>49,671</b>	<b>6%</b>	<b>407,813</b>	<b>49%</b>	<b>357,501</b>	<b>43%</b>	<b>15,145</b>	<b>2%</b>	<b>844,203</b>	<b>-14,073</b>
<b>Income/Expense</b>	<b>FY'19 Proposed Budget</b>	<b>Admin. Allocation</b>	<b>%</b>	<b>Sanitation Allocation</b>	<b>%</b>	<b>Safety Allocation</b>	<b>%</b>	<b>Outreach Allocation</b>	<b>%</b>	<b>FY'18 Budget</b>	<b>Variance FY19-FY18 Budgets</b>
<b>Program Expenses</b>											
Printing/Publishing/Web	3,000	180	6.0%	1,470	49.0%	1,290	43.0%	60	2.0%	3,000	0
Supplies	30,000	1,800	6.0%	23,400	78.0%	4,200	14.0%	600	2.0%	25,000	5,000
Uniforms	11,000	0		11,000	100.0%	0		0		9,600	1,400
Contracts	15,000			7,500	50%	7,500	50.0%			15,000	0
Rat Abatement Project - pest control contractor	15,000									15,000	0
Auto Insurance	10,500			10,500	100%					11,153	-653
Vehicle Op. (fuel, maint., etc)	15,000			15,000	100%					14,000	1,000
<b>Subtotal Program</b>	<b>84,500</b>	<b>1,980</b>		<b>68,870</b>		<b>12,990</b>		<b>660</b>		<b>77,753</b>	<b>6,747</b>
<b>Facility Expenses</b>											
Depreciation	12,200			12,200	100.0%					9,000	3,200
Janitorial/Cleaning	500	30	6.0%	245	49.0%	215	43.0%	10	2.0%	750	-250
Moving Expenses	4,000	240	6.0%	1,960	49.0%	1,720	43.0%	80	2.0%		
Maintenance/Additions	500	30	6.0%	245	49.0%	215	43.0%	10	2.0%	750	-250
Rent	36,000	2,160	6.0%	17,640	49.0%	15,480	43.0%	720	2.0%	34,000	2,000
Telephone	5,000	300	6.0%	2,450	49.0%	2,150	43.0%	100	2.0%	5,000	0
Utilities	4,500	270	6.0%	2,205	49.0%	1,935	43.0%	90	2.0%	6,000	-1,500
<b>Subtotal Facilities</b>	<b>62,700</b>	<b>3,030</b>		<b>36,945</b>		<b>21,715</b>		<b>1,010</b>		<b>55,500</b>	<b>7,200</b>

## MINUTES

Income/Expense	FY'19 Proposed Budget	Admin. Allocation	%	Sanitation Allocation	%	Safety Allocation	%	Outreach Allocation	%	FY'18 Budget	Variance FY19-FY18 Budgets
<b>Overhead Expenses</b>											
Accounting/Legal	14,000	840	6.0%	6,860	49.0%	6,020	43.0%	280	2.0%	14,000	0
Advertising	1,200	72	6.0%	588	49.0%	516	43.0%	24	2.0%	1,500	-300
Bank Charges	800	48	6.0%	392	49.0%	344	43.0%	16	2.0%	1,000	-200
Computer Support	6,600	396	6.0%	3,234	49.0%	2,838	43.0%	132	2.0%	7,000	-400
D and O Insurance	2,900	174	6.0%	1,421	49.0%	1,247	43.0%	58	2.0%	2,900	0
Property and Liability Ins.	5,600	336	6.0%	2,744	49.0%	2,408	43.0%	112	2.0%	5,600	0
Postage	1,000	60	6.0%	490	49.0%	430	43.0%	20	2.0%	1,000	0
Office Expenses			6%						2.00%		0
<b>Subtotal Overhead</b>	<b>32,100</b>	<b>1,926</b>	<b>6%</b>	<b>15,729</b>		<b>13,803</b>		<b>642</b>	<b>2%</b>	<b>33,000</b>	<b>-900</b>
<b>Total Anticipated Expenses</b>	<b>1,009,430</b>	<b>56,607</b>	<b>5.6%</b>	<b>529,357</b>	<b>52.4%</b>	<b>406,009</b>	<b>40.2%</b>	<b>17,457</b>	<b>1.7%</b>	<b>1,010,456</b>	<b>-1,026</b>
<b>Excess Income Over Expense</b>	<b>94</b>	<b>12</b>		<b>40</b>		<b>40</b>		<b>2</b>		<b>846</b>	

UPON MOTION duly made and seconded, the Board approved the Charles Village Community Benefits District FY 2019 budget and property tax surcharge rate.

**MINUTES**

Bureau of the Budget &  
Management Research (BBMR)

- FY 2019 Budget & Property  
 Tax Surcharge Rate - Midtown  
Community Benefits District

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Midtown Community Benefits District (MCBD) FY 2019 budget and property tax surcharge rate.

**AMOUNT OF MONEY AND SOURCE:**

The proposed FY 2019 property tax surcharge rate is \$0.132 per \$100.00 of assessable value. The surcharge rate is the same as it was for FY 2018.

**BACKGROUND/EXPLANATION:**

The Board of Estimates has the authority to approve the annual financial plans and surcharge tax rate for the MCBD. Property owners in the MCBD will pay the same surcharge rate on their property taxes in Fiscal 2019 as in Fiscal 2018. The rate is set at \$0.132 per \$100.00 of assessable value.

The Fiscal 2019 estimated surcharge tax revenue has increased 6.7% or \$81,729.00, from \$1,212,244.00 in Fiscal 2018 to \$1,293,973.00 in the Fiscal 2019 proposed budget. The budget includes a \$32,349.00 allowance for over-estimated surcharge tax revenue, resulting in a net projection of \$1,261,624.00. The MCBD will augment this revenue with \$75,640.00 in grant contributions and service fees. As of April 30, 2018, the total cash reserves for the MCBD were \$428,680.00. This represents three months of operating expenses.

The MCBD provides the Bolton Hill, Charles North, Madison Park, and Mount Vernon neighborhoods with enhanced cleaning, safety, and maintenance services, including: daily sidewalk cleaning; alley trash collection and weeding; leaf collection; public green space maintenance; and increased safety patrols.

The Department of Finance recommends that the Board approve the budget plan and surcharge tax rate.

## MINUTES

BBMR - cont'd

	Projected Income	Clean	Green	Safe	Admin	FY2019 TOTAL	FY2018 TOTAL
1	Property Tax surcharge					\$ 1,293,973	\$ 1,212,244.35
2	Allowance for over-estimated surtax 2.5%					(32,349)	(30,306)
3	Net income					\$ 1,261,624	\$ 1,181,938
4	Contributions					40,000	69,812
5	Parking & Storage (In-Kind)					17,340	0
6	Interest Earned					300	500
7	Service fees					18,000	20,000
8	Total Income					\$ 1,337,264	\$ 1,272,250
		44%	18%	25%	13%		
	<b>Projected Expenses</b>	<b>Clean</b>	<b>Green</b>	<b>Safe</b>	<b>Admin</b>	<b>TOTAL</b>	<b>TOTAL</b>
9	Accounting	4,576	1,872	2,600	1,352	10,400	9,700
10	Advertising	352	144	200	104	800	800
11	Audit	4,400	1,800	2,500	1,300	10,000	9,700
12	Bank service charges	264	108	150	78	600	250
13	Computer expenses	968	396	550	286	2,200	1,500
14	Consultants	1,320	540	750	390	3,000	3,000
15	Depreciation	19,844	8,118	11,275	5,863	45,100	53,141
16	Dues & Subscriptions	176	72	100	52	400	400
17	Employee benefits	41,536	16,992	23,600	12,272	94,401	91,731
18	Equipment rental	154	63	88	46	350	350
19	Fuel Expense	10,560	4,320	6,000	3,120	24,000	24,000
20	Fundraising Expense	1,100	450	625	325	2,500	2,500
21	Insurance - Gen liability	30,140	12,330	17,125	8,905	68,500	67,000
22	Insurance - Workers Comp	20,108	8,226	11,425	5,941	45,700	43,000
23	Interest paid	2,332	954	1,325	689	5,300	4,200
24	Leased Equipment	2,508	1,026	1,425	741	5,700	3,328
25	Legal fees	220	90	125	65	500	500
26	Licenses & Permits	286	117	163	85	650	500
27	Miscellaneous	88	36	50	26	200	298
28	Newsletter	264	108	150	78	600	550
29	Meals	440	180	250	130	1,000	1,000
30	Meetings & Conferences	792	324	450	234	1,800	1,800

## MINUTES

BBMR - cont'd

31	Occupancy (rent, etc.)	24,314	9,947	13,815	7,184	55,260	53,662
32	Parking & Storage (In-Kind)	7,630	3,121	4,335	2,254	17,340	0
33	Office expenses	1,408	576	800	416	3,200	3,200
34	Payroll Service	4,400	1,800	2,500	1,300	10,000	9,500
35	Postage	1,628	666	925	481	3,700	3,600
36	Printing	1,980	810	1,125	585	4,500	4,000
37	Program Exp - Clean/Green	15,140	3,360	0	0	18,500	18,140
38	Program Exp- temporary labor	4,000	1,000	0	0	5,000	6,000
39	Program Exp - Safety	0	0	3,300	0	3,300	2,000
40	Program Exp - Outreach	1,000	1,000	0	700	2,700	3,000
		44%	18%	25%	13%		
	<b>Projected Expenses</b>	<b>Clean</b>	<b>Green</b>	<b>Safe</b>	<b>Admin</b>	<b>TOTAL</b>	<b>TOTAL</b>
41	Repair & maint. - equipment	11,660	4,770	6,625	3,445	26,500	20,000
42	Repair & maint - facilities	220	90	125	65	500	0
43	Repair & maint. - vehicles	6,600	2,700	3,750	1,950	15,000	12,500
44	Salaries	300,785	142,480	151,815	111,920	707,000	695,596
45	Simple IRA	2,200	900	1,250	650	5,000	5,000
46	Small equipment	2,200	900	1,250	650	5,000	5,000
47	Telephone & DSL	1,980	810	1,125	585	4,500	4,500
48	Telecommunications system	7,964	3,258	4,525	2,353	18,100	16,000
49	Taxes - other	1,408	576	800	416	3,200	3,472
50	Taxes - payroll	27,997	11,453	15,908	8,272	63,630	68,832
51	Training expenses	660	270	375	195	1,500	1,500
52	Travel	220	90	125	65	500	500
53	Uniforms	7,480	3,060	4,250	2,210	17,000	17,000
54	<b>ESTIMATED SURPLUS</b>	9,959	4,074	5,658	2,942	22,633	
55	Total Expenses	\$ 585,261	\$ 255,978	\$ 305,306	\$ 190,719	\$ 1,337,264	\$ 1,272,250
56	FY 2019 % of total budget	44%	19%	23%	14%	100%	100%

UPON MOTION duly made and seconded, the Board approved the Midtown Community Benefits District FY 2019 budget and property tax surcharge rate.

**MINUTES**

Bureau of the Budget and Management Research (BBMR) - FY 2019 Budget and Property Tax Surcharge Rate - Waterfront Management District

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the FY 2019 budget and property tax surcharge rate for the Waterfront Management District (District).

**AMOUNT OF MONEY AND SOURCE:**

The proposed FY 2019 property tax surcharge rate is \$0.17 per \$100.00 of assessable value. The surcharge rate is the same as it was for FY 2018.

**BACKGROUND/EXPLANATION:**

The Board has the authority to approve the annual financial plans and surcharge tax rate for the Waterfront Management District. The District has submitted its plan for Fiscal Year 2019. Property owners in the District will pay the same surcharge rate on their property taxes in Fiscal 2019 as in Fiscal 2018. The rate is set at \$0.17 per \$100.00 of assessable value. Surcharge fee revenues are projected to increase 29% or \$692,197.00, from \$2,412,301.00 in Fiscal 2018 to \$3,104,498.00 in Fiscal 2019. The increased surcharge revenue reflects expansion of the District's boundaries into Fell's Point and the opening of a new apartment complex at Harbor Point.

Revenue from surcharge tax collections represents 78% of the District's total \$3,985,755.00 budget. The District will also receive \$881,257.00 in additional grant revenue and services fees, including \$425,000.00 in direct grants from Baltimore City. As of April 30, 2018, the Waterfront Management District has \$798,681.00 in reserve funding, which represents a total value of 2.5 months of its annual budget.



**MINUTES**

BBMR - cont'd

The District has continued to provide services of significant value to the City and citizens of Baltimore, including: performing safety and hospitality services; landscaping; cleaning; creation of family friendly events; marketing the waterfront to local residents; and more recently, creating new attractions and adding amenities to existing Park areas. All services provided are intended to attract and retain local families to the area.

The Department of Finance recommends that the Board approve the proposed budget plan and surcharge tax rate.

## MINUTES

	<u>FY 2018 Budget</u>	<u>FY 2019 Budget</u>	<u>% Change</u>
Revenue and support			
Private taxable property owners	2,412,301	3,104,498	29%
Baltimore City contract	425,000	425,000	0%
Nonprofit property owners	97,064	90,847	-6%
Corporate partners	150,000	133,500	-11%
Transportation	34,350	22,500	-34%
Sponsorship - Events & Park Prog.	57,750	61,000	6%
Event coordination fee	24,675	25,675	4%
Food and beverage sales	11,000	11,000	0%
Tickets	24,600	5,750	-77%
Contract service fees	69,070	83,785	21%
Interest income	<u>21,000</u>	<u>22,200</u>	<u>6%</u>
Total Revenue and support	<u>3,326,811</u>	<u>3,985,755</u>	<u>20%</u>
Expenses			
Hospitality and Safety	968,617	1,325,617	37%
Exterior Janitorial	842,813	1,149,227	36%
Landscaping	432,976	465,954	8%
Marketing	169,749	219,299	29%
Park Programming & Events	307,026	267,469	-13%
Federal Hill Park	42,548	57,493	35%
Healthy Harbor	161,111	161,226	0%
Transportation	73,653	9,400	-87%
Waterwheel	12,000	14,000	17%
Administration	274,007	283,321	3%
Fundraising	<u>37,700</u>	<u>37,700</u>	<u>0%</u>
Total Expenses	<u>3,322,200</u>	<u>3,990,706</u>	<u>20%</u>
Change in Net Assets before non-operating expenses	<u>4,611</u>	<u>(4,951)</u>	
Non-operating expenses			
Waterwheel Depreciation	70,100	70,100	<u>0%</u>
Harris Creek Waterwheel Depreciation	<u>51,240</u>	<u>51,240</u>	<u>0%</u>
Total Non-operating expenses	<u>121,340</u>	<u>121,340</u>	
Change in Net Assets	<u>(116,729)</u>	<u>(126,291)</u>	

**MINUTES**

BBMR - cont'd

UPON MOTION duly made and seconded, the Board approved the FY 2019 budget and property tax surcharge rate for the Waterfront Management District.

**MINUTES**

Bureau of the Budget &  
Management Research (BBMR)

- FY 2019 Budget and Property  
 Tax Surcharge Rate Public  
 Utilities Surcharge Rate, and  
 Certification Renewal of the  
Downtown Management Authority

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the FY 2019 budget and property tax rate, public utilities surcharge rate for the Downtown Management Authority (DMA).

**AMOUNT OF MONEY AND SOURCE:**

The proposed FY 2019 property tax surcharge rate of \$22.39 cents per \$100.00 of assessed value.

**BACKGROUND AND EXPLANATION:**

The Board of Estimates has the authority to approve the annual financial plans and surcharge tax rates for the DMA. The DMA's proposed Fiscal 2019 budget maintains the Fiscal 2018 surcharge rate for taxable commercial properties located within the Authority's boundaries. In Fiscal 2018, the DMA's assessable tax base was initially set at \$3,070,435,016.00. In Fiscal 2019, the projected assessable tax base has increased by \$91,473,581.00 or 3% to \$3,161,908,597.00.

In addition to the property surcharge tax, the DMA is authorized to impose a surcharge on public utilities. The Fiscal 2019 proposal will maintain the rate at 55.97 cents per \$100.00 of assessed value, which is 2.5 times the real property tax rate set by Maryland Code 6-302.

Based on the Fiscal 2019 projected assessable values, the proposed rates will result in total combined surcharge tax revenue of \$7,497,233.00, an increase of \$481,611.00 or 7.0% above the Fiscal 2018 budgeted amount of \$7,015,622.00. Of the Fiscal 2019 amount, \$7,228,940.00 is projected to come from property surcharge revenue and \$268,293.00 is projected from public utilities revenue.

## MINUTES

BBMR - cont'd

The proposed Fiscal 2019 budget also includes \$1,302,867.00 in budgeted revenue from other sources, including: \$40,000.00 from individual State agencies; \$364,140.00 from City contracts with Downtown Partnership; an estimated \$119,200.00 in contributions from non-governmental tax exempt property owners; \$40,000.00 from late payment fees; \$323,198.00 from Center Plaza; \$12,667.00 from Parks Activation; \$11,000.00 from internet income and \$381,662.00 from service contracts including Wilkes Lane, One South Street, Fallsway, University of Maryland Medical Center, and UMB Biopark.

Per the June 2017 audit report, the DMA held \$1,183,626.00 in the Management Restricted Operating Reserve fund, which is equal to approximately two months of operating expenses. The current Reserve fund represents a total value of 13% of the DMA's annual budget. The Department of Finance encourages the Authority to work towards building a reserve fund at a minimum of at least 25% of its annual budget (or approximately three months of the annual operating budget).

The Department of Finance recommends approval of the proposed budget plan and surcharge tax rate.

## MINUTES

**Downtown Management Authority for Baltimore City  
Fiscal Year 2019  
Proposed Budget**

Revenues	Budget	Proj. Results	Budget	FY'19 Budget to Proj Rsults Variance	
	Fiscal Yr. 2018	Fiscal Yr. 2018	Fiscal Yr. 2019	Dollar	Percent
Property Surcharge	\$ 7,111,042	\$ 7,015,622	\$ 7,497,233	\$ 481,611	7%
DPW Grant	357,000	357,000	364,140	7,140	
Tax-Exempt properties	119,320	119,200	119,200	-	
State Agency contributions	40,000	40,000	40,000	-	
Interest	1,500	11,000	11,000	-	
Center Plaza Contract Services	270,717	276,647	323,198	46,551	
Late Payment Fees	40,000	62,611	40,000	(22,611)	
Parks Activation	39,100	11,977	12,887	890	
Contract Services	221,162	330,737	381,882	50,925	
Supplemental Services-General	11,500	11,000	11,000	-	
<b>TOTAL REVENUE</b>	<b>\$ 8,211,341</b>	<b>\$ 8,235,794</b>	<b>\$ 8,800,100</b>	<b>\$ 564,306</b>	<b>7%</b>

**Summary of Expenses, % of FY '19 budget:**

Hospitality & Safety	30.09%	\$ 2,447,615	\$ 2,568,776	\$ 2,647,589	\$ (78,813)	
Public Space Maintenance	26.43%	2,311,154	2,101,825	2,325,611	(223,786)	
Capital Improvements	3.22%	383,009	367,439	283,349	84,091	
Communications	6.19%	477,104	489,760	544,846	(55,086)	
Events & Programming	14.48%	966,145	926,171	1,273,984	(347,812)	
Administration	12.61%	1,058,589	1,178,007	1,109,376	68,631	
Special Projects	6.99%	567,724	567,724	615,345	(47,621)	
<b>TOTAL EXPENSES</b>	<b>100.00%</b>	<b>\$ 8,211,341</b>	<b>\$ 8,199,693</b>	<b>\$ 8,800,100</b>	<b>\$ (600,406)</b>	<b>-7%</b>
<b>NET</b>		<b>\$ 0</b>	<b>\$ 36,100</b>	<b>\$ 0</b>	<b>(36,100)</b>	

**NOTES:**

- (1) Property Surcharge - FY 19 budget reflects an increase in the assessable base by 3% over FY18 base. Projected results reflects appeals in excess of budget.  
 (2) Contract Services - Includes services for UM Bio Park, One South Street, Fallsay, Wilkes Lane, Waterfront (Peace Ambassador Program) and UMMC starting in December 2017.

## MINUTES

Downtown Management Authority for Baltimore City  
Fiscal Year 2019  
Proposed Budget

Expenses				FY'19 Budget to Proj Rslts		Notes
	Budget Fiscal Yr. 2018	Proj Results Fiscal Yr. 2018	Budget Fiscal Yr. 2019	Dollar Variance	Percent	
<b>Hospitality &amp; Safety</b>						
Salary, Taxes, Benefits	\$ 1,508,354	\$ 1,384,853	\$ 1,333,320	\$ 51,534		(3)
Workman's Comp Insurance	63,202	66,856	58,965	7,890		
Retirement Fund Contribution	11,007	18,207	13,201	5,006		
Training	18,050	9,805	14,850	(5,045)		
Equipment/Furniture & Fixtures	3,500	2,738	3,500	(762)		
Peace Ambassador - Program	2,707	2,707	1,500	1,207		(4)
Peace Ambassador - Personnel	36,640	36,640	81,291	(44,651)		(5)
Private Security	-	320,684	462,514	(141,830)		(6)
Police OT	383,400	313,604	237,402	76,202		(7)
Public Safety Coalition - Program	5,320	5,320	7,450	(2,130)		
Public Safety Coalition - Personnel	117,744	120,487	149,238	(28,752)		
Printing/Postage	100	-	100	(100)		
Program Supplies	1,100	851	1,100	(249)		
Telephone	2,720	2,212	2,552	(340)		
Uniforms	13,500	13,500	13,500	-		
Vehicle Expenses	7,341	6,627	6,941	(314)		
Recruitment	4,000	2,500	4,000	(1,500)		
Travel	2,000	-	2,000	(2,000)		
Overhead	289,930	281,155	254,164	7,021		(8)
<b>Total Hospitality &amp; Safety</b>	<b>\$ 2,447,615</b>	<b>\$ 2,568,776</b>	<b>\$ 2,647,589</b>	<b>\$ (78,813)</b>	<b>-3%</b>	

## Notes:

- (3) Salary, Taxes and Benefits - FY 18 includes reorganization of Hospitality/Safety team, with elimination of VP of Clean/Safe Programs, Partial year retirement of Exec VP of Clean and Safe programs, increase in starting wages for Downtown Baltimore Guides to \$15.00 an hour, elimination of 12 DBG positions offset by Private Security. Budgeted for 21 DBG's and 2.5 Supervisors/Managers for a total of 23.5 employees.
- (4) Peace Ambassador Program - Start up of youth Peace Ambassador program in August 2017.
- (5) Peace Ambassador Personnel - FY 19 budget includes 7 Peace Ambassadors for 3 hours each on weekdays and 50% of Supervisor.
- (6) Private Security - Wolf Security providing security presence in afternoon and evening hours.
- (7) Police Overtime - Baltimore City off-duty Police officers - FY 19 includes 2 officers, 7 days a week in evening. Projected results included 4 officers July 2017 - March 2018 then changed to 2 officers.
- (8) Overhead - FY 19 overall expenses increased minimally, FY 18 projected expenses reflect savings of \$27,000 split across all departments.

## MINUTES

Downtown Management Authority for Baltimore City  
Fiscal Year 2019  
Proposed Budget

Expenses	Budget	Proj Results	Budget	FY'19 Budget to Proj Rsults		Notes
	Fiscal Yr. 2018	Fiscal Yr. 2018	Fiscal Yr. 2019	Dollar	Percent	
<b>Public Space Maintenance</b>						
Salary, Taxes, Benefits	\$ 1,676,134	\$ 1,500,711	\$ 1,729,733	\$ (229,022)		(9)
Workman's Comp Insurance	102,181	99,744	93,552	6,192		
Retirement Fund Contribution	19,337	19,198	18,437	762		
Training	14,420	9,405	13,470	(4,065)		
Equipment/Furniture & Fixtures	3,000	2,240	3,000	(760)		
Program Supplies	67,000	52,765	60,000	(7,235)		
Telephone	3,080	2,615	2,646	(31)		
Uniforms	13,400	13,400	13,400	-		
Mechanical Sweepers	6,500	6,500	7,500	(1,000)		
Vehicle Expenses	70,000	69,930	72,000	(2,070)		
Recruitment	4,130	5,430	4,130	1,300		
Overhead	329,972	319,887	307,744	12,143		
<b>Total Public Space Maintenance</b>	<b>\$ 2,311,154</b>	<b>\$ 2,101,825</b>	<b>\$ 2,325,611</b>	<b>\$ (223,786)</b>	<b>-11%</b>	

## Notes:

- (9) Salary, Taxes and Benefits - FY 19 includes reorganization of Clean team, with elimination of VP of Clean/Safe Programs, Partial year retirement of Exec VP of Clean and Safe programs, hiring of of VP of Clean, increase in starting wages for Clean Street Ambassadors to \$15.00 an hour, elimination of 9 Clean Street Ambassadors positions. Budgeted for 29 Clean Team Ambassadors and 3.5 Supervisors/Managers/VP for a total of 32.5 employees.



## MINUTES

Downtown Management Authority for Baltimore City  
Fiscal Year 2019  
Proposed Budget

Expenses	Budget	Proj Results	Budget	FY'19 Budget to Proj Rsults		Notes
	Fiscal Yr. 2018	Fiscal Yr. 2018	Fiscal Yr. 2019	Dollar	Percent	
<b>Capital Improvements</b>						
Salary, Taxes, Benefits	\$ 317,221	\$ 307,319	\$ 254,481	52,838		(10)
Workman's' Comp Insurance	9,294	4,826	794	4,031		
Retirement Fund Contribution	9,488	8,493	8,961	532		
Equipment/Special Projects	1,082	1,082	-	1,082		(11)
Program Supplies	1,084	1,084	-	1,084		(11)
Telephone	1,420	1,420	1,200	220		
Vehicle Expense	1,907	1,907	100	1,807		
Training	1,500	1,500	1,000	500		
Landscaping contractor	3,017	3,017	-	3,017		(11)
Overhead	36,996	35,792	16,812	18,980		
<b>Total Capital Improvements</b>	<b>\$ 383,009</b>	<b>\$ 367,439</b>	<b>\$ 283,349</b>	<b>\$ 84,091</b>	<b>23%</b>	

## Notes:

(10) Salary, Taxes and Benefits - Projected results for FY 18, include partial year reduction in hours for the Sr. VP of Capital Projects and FY 19 budget reflects full year of reduced hours for Sr. VP of Capital Projects

(11) Equipment, Program supplies and Landscaping Contractor - Projected results for FY 18 reflect partial year transfer to Parks Department.

## MINUTES

Downtown Management Authority for Baltimore City  
Fiscal Year 2019  
Proposed Budget

Expenses				FY'19 Budget to Proj Rsults		Notes
	Budget Fiscal Yr. 2018	Proj Results Fiscal Yr. 2018	Budget Fiscal Yr. 2019	Dollar Variance	Percent	
<b>Communications</b>						
Salary, Taxes, Benefits	\$ 262,361	\$ 274,912	\$ 326,647	\$ (51,735)		(12)
Workman's' Comp Insurance	1,175	1,243	993	250		
Retirement Fund Contribution	5,875	6,499	7,744	(1,245)		
Consumer, Bus. Retention & Attraction Marketing	128,900	128,900	128,900	-		
DMA Marketing	50,000	50,000	44,642	5,358		
Website Production, Maintenance, and Hosting	1,000	1,000	1,000	-		
Printing/Postage (PR)	1,000	1,164	1,000	164		
Program Supplies	1,000	1,167	1,000	167		
Photography	7,000	6,534	7,000	(466)		
Travel	500	635	500	135		
Overhead	18,292	17,695	25,420	(7,725)		
<b>Total Communications</b>	<b>\$ 477,104</b>	<b>\$ 489,750</b>	<b>\$ 544,846</b>	<b>\$ (55,096)</b>		<b>-11%</b>

## Notes:

(12) Salary, Taxes and Benefits - Fy 19 Budget reflects increase in FTE for DMA projects.

## MINUTES

Downtown Management Authority for Baltimore City  
Fiscal Year 2019  
Proposed Budget

Expenses				FY'19 Budget to Proj Rsits		Notes
	Budget Fiscal Yr. 2018	Proj Results Fiscal Yr. 2018	Budget Fiscal Yr. 2019	Variance Dollar	Percent	
<i>Events &amp; Programming</i>						
Salary, Taxes, Benefits	\$ 611,514	\$ 582,382	\$ 818,039	\$ (256,657)		(13)
Workman's' Comp Insurance	8,358	8,741	18,436	(9,695)		
Retirement Fund Contribution	8,884	7,972	6,625	1,347		
Program Supplies	19,416	8,230	21,500	(13,270)		
Telephone	740	2,340	3,420	(1,080)		
Equipment	1,418	1,327	5,000	(3,673)		
Park Activities & Amenities	31,200	29,852	35,000	(5,148)		
Park Utilities	900	100	1,200	(1,100)		
Holiday Lighting	30,000	30,000	39,025	(9,025)		(14)
Landscaping	34,508	34,508	37,000	(2,492)		
Training	3,056	2,100	2,500	(400)		
Vehicle	8,993	11,011	11,011	-		
Uniforms	1,500	2,082	2,500	(418)		
Rodent Control	8,000	4,892	6,000	(1,108)		
Travel	-	-	3,000	(3,000)		
Center Plaza Activities & Amenities	127,850	152,115	139,139	12,976		
Overhead	70,826	68,519	124,588	(56,069)		
<b>Total Events &amp; Programming</b>	<b>\$ 966,145</b>	<b>\$ 926,171</b>	<b>\$ 1,273,984</b>	<b>\$ (347,812)</b>		<b>-38%</b>

## NOTES:

- (13) Salary, Taxes and Benefits - FY 19 includes hiring 2 additional Park Stewards and an increase in starting wages for Park Stewards to \$15.00 an hour. Budgeted for FY 19, 12 Park Stewards including Lead and Manager positions.
- (14) Holiday Lighting - Budgeted for FY 19 additional holiday lights.

## MINUTES

Downtown Management Authority for Baltimore City  
Fiscal Year 2019  
Proposed Budget

Expenses	Budget		Proj Results		Budget		FY'19 Budget to Proj Rsults		Notes
	Fiscal Yr. 2018	Fiscal Yr. 2018	Fiscal Yr. 2018	Fiscal Yr. 2018	Fiscal Yr. 2019	Fiscal Yr. 2019	Dollar	Percent	
<b>Administration</b>									
Salary, Taxes, Benefits	\$ 895,506	\$ 1,015,709	\$ 920,182	\$ 95,528					(15)
Workman's' Comp Insurance	3,395	588	3,107	(2,519)					
Retirement Fund Contribution	16,662	20,707	26,021	(5,315)					
Training & Development	150	150	345	(195)					
Equipment/Furniture & Fixtures	3,319	2,795	4,107	(1,312)					
Human Resources	4,330	4,105	5,033	(928)					
Insurance	2,813	2,813	5,814	(3,000)					
Maintenance/Repair	4,993	4,993	4,630	363					
Office Expenses	5,040	4,516	7,187	(2,671)					
Professional Fees	4,889	4,889	5,720	(832)					
Printing/Postage	599	599	690	(91)					
Rent/Utilities/Loan - interest	30,785	30,016	30,239	(6,223)					
Telephone/Fax	3,668	3,668	4,157	(489)					
Travel	636	636	992	(356)					
Miscellaneous	823	823	949	(125)					
Loan Management Fee - principal	81,000	81,000	84,203	(3,203)					
<b>Total Administration</b>	<b>\$ 1,058,589</b>	<b>\$ 1,178,007</b>	<b>\$ 1,109,376</b>	<b>\$ 68,631</b>				<b>6%</b>	
	\$ 567,724	\$ 567,724	\$ 615,345	\$ (47,621)					
<b>Special Projects</b>	<b>\$ 567,724</b>	<b>\$ 567,724</b>	<b>\$ 615,345</b>	<b>\$ (47,621)</b>					
<b>Total Expenses</b>	<b>\$ 8,211,341</b>	<b>\$ 8,199,693</b>	<b>\$ 8,800,100</b>	<b>\$ (600,406)</b>					
<b>Revenues</b>	<b>\$ 8,211,341</b>	<b>\$ 8,235,794</b>	<b>\$ 8,800,100</b>	<b>\$ 564,306</b>					
<b>Change In Net Assets</b>	<b>\$ 0</b>	<b>\$ 36,100</b>	<b>\$ 0</b>	<b>\$ (36,100)</b>					
<b>Non-cash / Depreciation</b>	<b>\$ 105,000</b>	<b>\$ 108,358</b>	<b>\$ 110,793</b>	<b>\$ 2,435</b>					
<b>Capital Budget funded from existing fund balance:</b>									
4 - 360 Cameras			\$ 10,000						
Network Reporting			6,000						
Timeclock Software Upgrade			7,000						
Gator Vehicle - Events			15,000						
<b>Total</b>			<b>\$ 38,000</b>						

**MINUTES**

BBMR - cont'd

UPON MOTION duly made and seconded, the Board approved the FY 2019 budget and property tax rate, public utilities surcharge rate for the Downtown Management Authority.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>City Council</u>			
1. William Henry	Local Progress National Convening Minneapolis, MN July 12 - 15, 2018 (Reg. Fee \$0.00)	Elected Official Expense Account	\$1,203.58

The subsistence rate for this location is \$213.00 per night. The hotel cost is \$179.00 per night, plus taxes of \$23.54 per night.

The Department is requesting additional subsistence in the amount of \$6.00 per day for meals and incidentals. The Conference is from July 12 - 14, 2018. Mr. Henry is leaving a day after the conference due to the agenda times and the location of the event. Therefore, the disbursement to Mr. Henry is \$1,203.58.

2. Shannon Sneed	Local Progress National Convening Minneapolis, MN July 12 - 15, 2018 (Reg. Fee \$0.00)	Elected Official Expense Account	\$1,036.40
------------------	---	---	------------

The subsistence rate for this location is \$213.00 per night. The hotel cost is \$179.00 per night, plus taxes of \$23.54 per night.

The Department is requesting additional subsistence in the amount of \$6.00 per day for meals and incidentals. The Conference is from July 12 - 14, 2018. Ms. Sneed is leaving a day after the conference due to the agenda times and the location of the event. Therefore, the disbursement to Ms. Sneed is \$1,036.40.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>City Council</u> - cont'd			
3. Sharon Middleton	National Association of Counties Annual Conference and Exposition Nashville, TN July 12 - 17, 2018 (Reg. Fee \$490.00)	Elected Official Expense Account	\$ 2,255.76

The subsistence rate for this location is \$221.00 per night. The cost of the hotel is \$184.00 per night, plus room tax cost of \$28.06 per night, a resort fee of \$10.00 per night, and a city tax in the amount of \$2.50 per night. The Office is requesting additional subsistence of \$3.00 per day for meals and incidentals.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request form if the City representative's absence will involve one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

Department of Human Resources

4. Mary H. Talley Jacia Smith Njukang Asong	Society For Human Resource Management Conference and Exposition June 16 - 21, 2018 Chicago, IL (Reg. Fee. \$1,095.00 each)	DHR Appro- privation	\$13,066.05
---	---	-------------------------	-------------

The subsistence rate for this location is \$289.00 per day for each attendee. The hotel cost is \$429.00 per night plus hotel taxes in the amount of \$74.65 per night for each attendee.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
-------------	------------------	--------------------	---------------

Department of Human Resources - cont'd

The Department is requesting additional subsistence in the amount of \$140.00 per day for the hotel and \$40.00 per day for food and incidentals for each attendee. The airfare for each attendee was prepaid on a City-issued credit card assigned to Ms. La'Tonya Bryant, with a mandatory \$25.00 booking fee included. The registration fee for each attendee in the amount of \$1,095.00 was prepaid by Expenditure Authorization nos. EA000210858, EA000210859, and EA000210860, respectively. Each attendee will be disbursed \$2,778.25.

Baltimore Police Department

5. Michael Pool	2018 Senior Management Institute of Police Session #71 Boston, MA June 09 - 29, 2018 (Reg. Fee \$9,550.00)	Asset Forfeiture	\$9,917.96
-----------------	---	---------------------	------------

The airfare costs of \$227.96 will be paid using a City-issued credit card assigned to Mr. Tribuhavan Thacker. The required \$250.00 deposit was paid using a City issued credit card assigned to Mr. Tribuhavan Thacker. Therefore, the disbursement to Mr. Pool is \$140.00.

6. Martin Bartness	2018 Senior Management Institute of Police Session #72 Boston, MA July 07 - 27, 2018 (Reg. Fee \$9,550.00)	Asset Forfeiture	\$9,887.96
--------------------	---	---------------------	------------

The airfare costs of \$197.96 will be paid using a City-issued credit card assigned to Mr. Tribuhavan Thacker. The required \$250.00 deposit was paid using a City issued credit card assigned to Mr. Tribuhavan Thacker. Therefore, the disbursement to Mr. Bartness is \$140.00.



**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore Police Department - cont'd</u>			
7. James Rhoden	2018 Senior Management Institute of Police Session #73 Boston, MA July 14 - Aug. 3, 2018 (Reg. Fee \$9,550.00)	Asset Forfeiture Fund	\$9,947.96

The airfare costs of \$257.96 will be paid using a City-issued credit card assigned to Mr. Tribuhavan Thacker. The required \$250.00 deposit was paid using a City issued credit card assigned to Mr. Tribuhavan Thacker. Therefore, the disbursement to Mr. Rhoden is \$140.00.

The balance of \$9,300.00 for the registration for each employee (item nos. 5, 6 and 7) will be paid by Expenditure Authorization upon Board approval of the travel request.

Tuition includes instruction, books, materials, program activities and events, lodging and meals for the duration of the program. Tuition does not include travel expenses. Applicants may choose to arrive one day before the program starts and remain one day after the program ends at no additional costs; however, meals before or after the program are not included. Therefore, the Department is requesting an addition \$80.00 for each applicant to cover the cost of meals before and after the program.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request form if the City representative's absence will exceed five workdays or involves one or both weekend days.

8. Byron Conaway	FBI-LEEDA Executive June 3 - 8, 2018 West Palm Beach, FL (Reg. Fee. \$650.00)	Asset Forfeiture Fund	\$1,779.33
------------------	--	-----------------------------	------------

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore Police Department - cont'd</u>			

The subsistence rate for this location is \$169.00 per day. The hotel cost is \$119.00 per night, plus hotel taxes in the amount of \$15.47 per night.

The one-way airfare in the amount of \$176.98 and the registration fee in the amount of \$650.00 were prepaid on a City-issued credit card assigned to Mr. Tribhuvan Thacker. Mr. Conway's return airfare will be at his own expense as he is staying after the conference for personal reasons. Mr. Conway will be disbursed \$952.35.

9. Paula Williams	Police Budget Academy San Clemente, CA June 5 - 9, 2018 (Reg. Fee \$393.00)	Asset For- feiture	\$1,908.20
-------------------	---	--------------------------	------------

The airfare cost in the amount of \$437.60 and the registration fee in the amount of \$393.00 were prepaid on a City-issued procurement card assigned to Mr. Tribhuvan Thacker. Therefore, the disbursement to Ms. Williams is \$1,077.60.

Health Department

10. Tanya Myers Cheryl Gipson	PS18-1802: Integrated HIV Surveillance and Prevention Programs for Health Depts. Recipient Orientation Meeting Atlanta, GA June 4 - 8, 2018 (Reg. Fee \$0.00 ea.)	Compre- hensive STD Prevention	\$2,852.01
----------------------------------	--	---	------------

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Department - cont'd</u>			

The airfare cost in the amount of \$377.96 each was prepaid on a City-issued procurement card assigned to Mr. Steven Radosevich. Therefore, the disbursement to Ms. Myers and Ms. Gipson is \$1,048.65 each.

11. Jennifer Kirschner	2018 National Reproductive Health Title X Conference Kansas City, MO July 15 - 18, 2018 (Reg. Fee \$0.00)	Non-City Fund	\$ 0.00
------------------------	---	------------------	---------

Ms. Kirschner will be speaking at the 2018 National Reproductive Health Conference. The 2018 National Reproductive Health Conference will pay the cost of airfare, ground transportation, registration, hotel accommodations and meals during the conference. City funds will not be expended.

Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request form if the City representative's absence will involve one or both weekend days. The source or type of funds used to pay for the travel has no bearing upon the requirement of approval.

Department of General Services

12. Chichi Nyagah-Nash	Government Fleet Expo June 2 - 6, 2018 San Diego, CA (Reg. Fee. \$395.00)	Internal Service Fund	\$2,618.79
------------------------	---	-----------------------------	------------

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of General Services - cont'd</u>			

The subsistence rate for this location is \$231.00 per day. The hotel cost is \$219.00 per night for June 3-4, 2018 and \$239.16 for June 5, 2018, plus total hotel taxes in the amount of \$86.39. Ms. Nyagah-Nash's stay at the hotel on June 2, 2018 will be at her own expense.

The Department is requesting additional subsistence in the amount of \$40.00 per day for food and incidentals. The total hotel costs in the amount of \$763.83 and the registration fee in the amount of \$395.00 were prepaid on a City-issued credit card assigned to Ms. Nyagah-Nash. The airfare in the amount of \$1,279.96 was prepaid on a City-issued credit card assigned to Mr. Berke Attila. Ms. Nyagah-Nash will be disbursed \$180.00.

13. Berke Attila	Government Fleet Expo June 2 - 6, 2018 San Diego, CA (Reg. Fee. \$495.00)	Internal Service Fund	\$2,718.79
------------------	---	-----------------------------	------------

The subsistence rate for this location is \$231.00 per day. The hotel cost is \$219.00 per night for June 3-4, 2018 and \$239.16 for June 5, 2018, plus total hotel taxes in the amount of \$86.39. Mr. Attila's stay at the hotel on June 2, 2018 will be at his own expense.

The Department is requesting additional subsistence in the amount of \$40.00 per day for food and incidentals. The airfare in the amount of \$1,279.96, the total hotel costs in the amount of \$763.83, and the registration fee in the amount of \$495.00 were prepaid on a City-issued credit card assigned to Mr. Attila. Mr. Attila will be disbursed \$180.00.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of General Services - cont'd</u>			

UPON MOTION duly made and seconded, the Board approved the foregoing Travel Requests. The President **ABSTAINED** on item nos. 1, 2, and 3.

**MINUTES**

President: "There being no more business before thi-- before the Board, we'll recess until bid opening at 12 noon. Thank you."

\* \* \* \* \*

**MINUTES**

Clerk: "Good afternoon. Sorry. The Board of Estimates is now in session for the opening and receiving of bids. I apologize for the delay. Okay. There are no umm -- addenda for today."

**BIDS, PROPOSALS, AND CONTRACT AWARDS**

Prior to the reading of bids received today and the opening of bids scheduled for today, the Clerk announced that **NO ADDENDA WERE RECEIVED** extending the dates for receipt and opening of bids.

Thereafter, UPON MOTION duly made and seconded, the Board received, opened, and referred the following bids to the respective departments for tabulation and report:

Department of General Services - GS 16826R, Western District  
Police Department Partial Roof  
Replacement and Structure

Dewiler Roofing

Bureau of Procurement - B50005390, Closed Top Trailers  
with Ejection Device

Warren Equipment, Inc.  
Spector Manufacturing, Inc.

## MINUTES

Bureau of Procurement - B50005393, Toro Groundmaster  
5900 & 7200 Lawn Mowers

Turf Equipment and Supply Co. Inc.

Bureau of Procurement - B50005413, - Refuse Compactor

Humdinger Equipment, LTD  
JESCO, Inc.

Bureau of Procurement - B50005241, Janitorial Services  
For the Department of General  
Services "Group 1-6"

CANCELLED

Department of Transportation - TR 18010, Urgent Need Contract  
Citywide

P. Flanigan & Sons, Inc.  
Manuel Lewis Construction Co. Inc.

Department of Public Works - WC 1339, Upton Neighborhood  
and Vicinity Water Main  
Rehabilitation

Fletcher Creamer & Son, Inc.  
Metra Industries  
Spiniello Companies  
Anchor Construction Corp.  
Civil Construction, LLC

Department of Public Works - RP 17806, Cahill Fitness and  
Wellness Center


WM Schlosser Construction Company  
Dustin Construction, Inc.



MINUTES

\* \* \* \* \*

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, June 6, 2018.



JOAN M. PRATT  
Secretary